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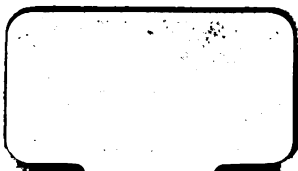
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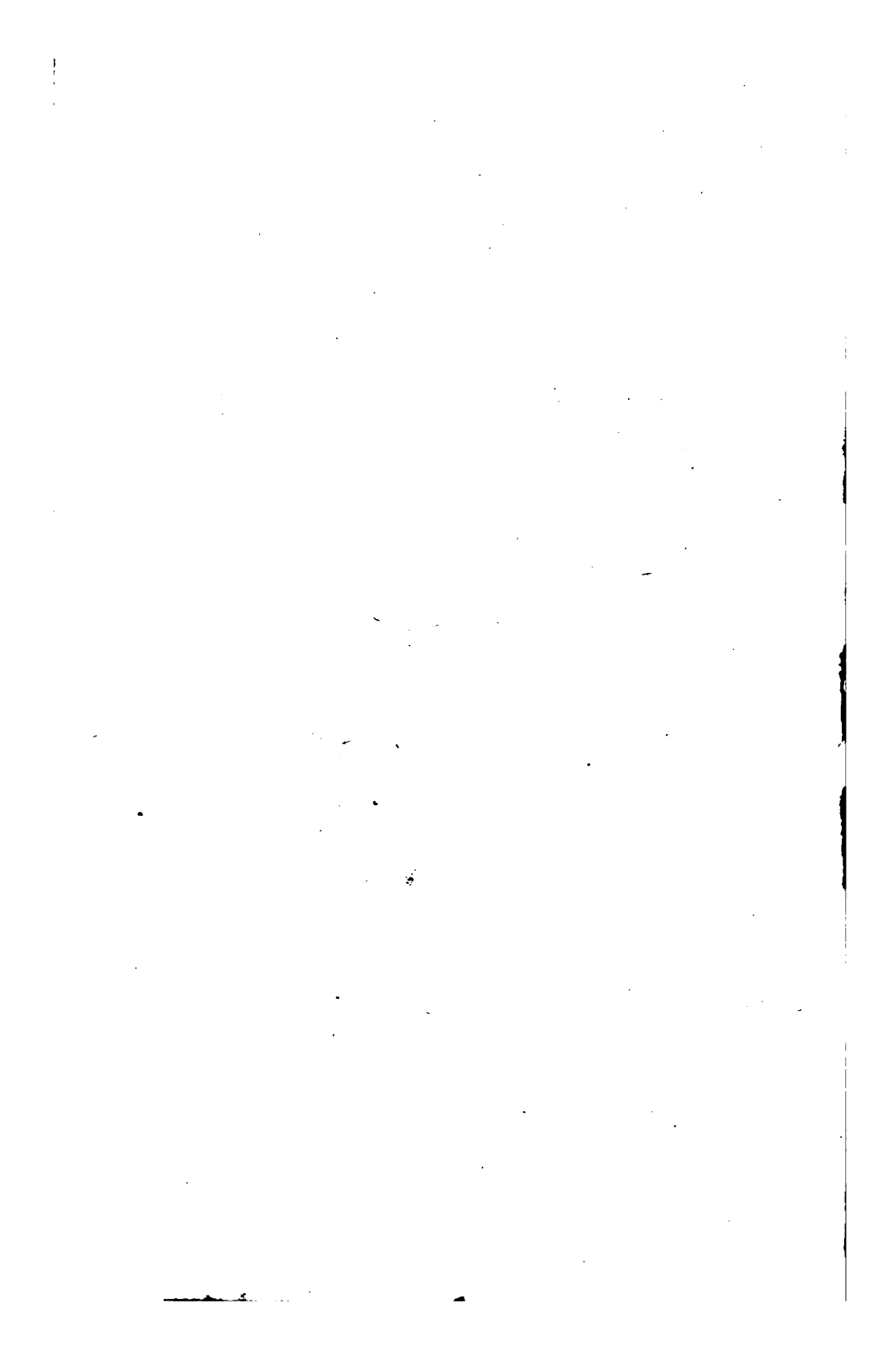


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Journal of the Senate of Vermont....1836.

31



JOURNAL

OF THE

SENATE

OF THE

STATE OF VERMONT,

OCTOBER SESSION,

1886.

PUBLISHED BY AUTHORITY.

Montpelier,

E. P. WALTON & SON, PRINTERS.

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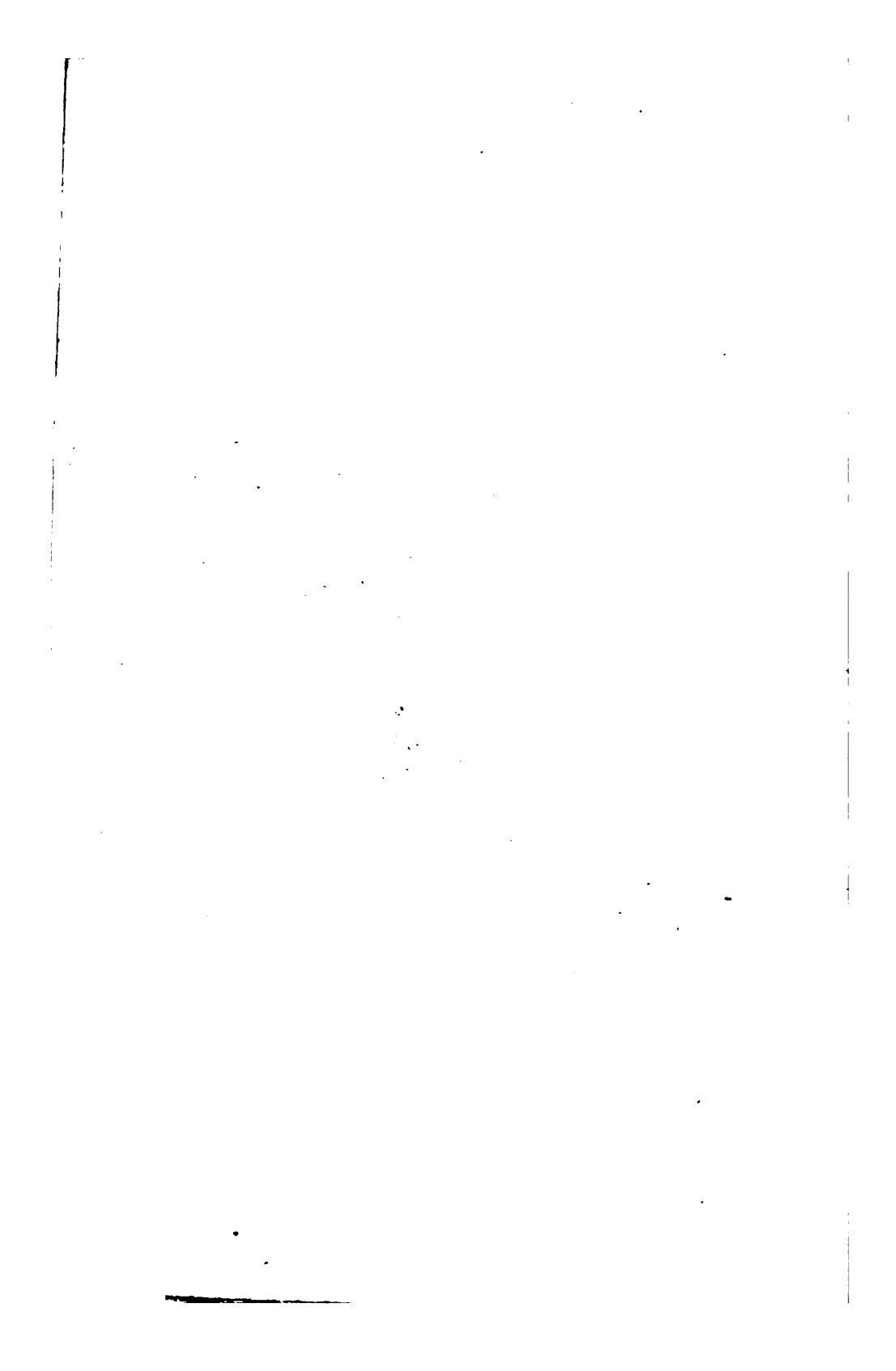
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JOURNAL.

AGREEABLY to the provisions of the constitution, the Senate of the State of Vermont convened at the state house in Montpelier, on the second Thursday of October (being the thirteenth day of the month) in the year of our Lord one thousand eight hundred and thirty-six.

The following named senators presented their credentials and took their seats, viz :

| | |
|--------------------------------|--|
| <i>Bennington county</i> | OSAMUS C. MERRILL, WINSLOW C. WATSON. |
| <i>Windham county</i> | PHINEAS WHITE, WAITSTILL R. RANNEY, WILLIAM HENRY. |
| <i>Rutland county</i> | THOMAS D. HAMMOND, ZIMRI HOWE, ROBERT PIERPOINT. |
| <i>Windsor county</i> | FRANCIS E. PHELPS, SAMUEL W. PORTER, WILLIAM STEELE, JULIUS CONVERSE. |
| <i>Addison county</i> | EBENEZER N. BRIGGS, JESSE GRANDY, HARVEY BELL. |
| <i>Orange county</i> | A. B. W. TENNEY, WILLIAM HEBARD, THOMAS KEYES. |
| <i>Chittenden county</i> | JOHN VAN SICKLIN, JUN., HARRY MILLER. |
| <i>Washington county</i> | ARUNAH WATERMAN, NEWELL KINSMAN. |
| <i>Franklin county</i> | NATHAN SMILIE, JOSHUA W. SHELDON, HOMER E. HUBBELL. |
| <i>Caledonia county</i> | WILLIAM A. PALMER, JOHN BECKWITH. |
| <i>Orleans county</i> | AUGUSTUS YOUNG. |
| <i>Essex county</i> | WILLIAM GATES. |

On motion of Mr. Palmer,
HON. MELVIN BARNES, a senator elect from the county of Grand Isle,
was admitted to take his seat, without producing his credentials.

Whereupon, all the above named senators were duly sworn by Paul Dillingham, jun. Esquire, one of the Justices of the peace, for the county of Washington.

On motion,

The Senate proceeded to the choice of a President *pro tempore*, and the Hon. Ebenezer N. Briggs was elected and took the chair.

On motion,

The Senate proceeded to elect a Secretary *pro tempore*, and the Hon. Robert Pierpoint was chosen.

On motion of Mr. Howe,

The following was adopted as a rule of the Senate.

The credentials of senators shall be presented to the Secretary or Assistant Secretary, previous to nine o'clock in the morning of the second Thursday of October, at which time the Senate shall be called to order. The names of the senators shall be called over, and when a quorum shall have taken their seats, they shall, having first taken the necessary oaths, on nomination of the President, appoint a canvassing committee, consisting of one Senator from each county, to join such committee as the House of Representatives may appoint, whose duty it shall be to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, and make report thereof to the joint assembly of both Houses.

Whereupon the following named persons were nominated by the President and appointed by the Senate, a committee in pursuance of the foregoing rule, viz :—Messrs. Watson, Henry, Converse, Howe, Bell, Hebard, Van Sicklin, Kinsman, Beckwith, Young, Hubbell, Barnes and Gates.

On motion of Mr. Howe, the House of Representatives was informed, by the Secretary, that the Senate had organized and were ready to receive any communications from the House; and also that the Senate had, on their part, appointed a canvassing committee.

A message from the House of Representatives by Mr. Whitney, a member :

Mr. PRESIDENT—The House of Representatives have assembled and chosen Carlos Coolidge, Esq. Speaker *pro tempore*, and A. L. Miner, Esq. Clerk *pro tempore*, and are ready to proceed to business.

A communication was received from the House of Representatives, announcing that the House had, on their part, appointed a canvassing committee.

On motion,

The Senate adjourned to three o'clock this afternoon.

AFTERNOON.

The following resolution was received from the House of Representatives :

Resolved, if the Senate concur, that both Houses meet in joint assembly on Friday the 14th instant at 10 o'clock A. M. for the purpose of electing a Secretary of State, for the year ensuing.

Which was read, and on motion,

Resolved to concur therein.

The following resolution was received from the House of Representatives :

Resolved, the Hon. Senate concurring herein, that the two Houses meet in joint convention this afternoon at four o'clock, in the representatives' hall, for the purpose of receiving the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer, Which was read and concurred in.

In pursuance of the forgoing resolution the Senate attended the House of Representatives and the canvassing committee made the following report :

To the Hon. General Assembly now in session :

Your committee, appointed to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, having attended to the duties assigned them, respectfully report, that the whole number of votes given for Governor was 36,630

Necessary for a choice, 18,316

Of the above number of votes,

Silas H. Jenison received 20,471

William C. Bradley, 16,124

Scattering, 35

Your committee thereupon report that the freemen have elected

SILAS H. JENISON

Governor, for the year ensuing.

Your committee further report that the whole number of votes given for Lieutenant Governor was 36,010

Necessary for a choice, 18,006

Of the above number of votes,

David M. Camp received 20,023

John S. Pettibone 15,926

Scattering 61

Your committee therefore report that the freemen have elected

DAVID M. CAMP

Lieutenant Governor, for the year ensuing.

Your committee further report, that the whole number of votes given for Treasurer was 36,166

Necessary for a choice, 18,084

Of the above number of votes,

Augustine Clark received 20,188

Charles R. Cleaves 15,946

Scattering 12

Your committee therefore report that the freemen have elected

AUGUSTINE CLARK

Treasurer for the year ensuing.

All which is respectfully submitted.

WILLIAM HENRY, Chairman,

LUCIUS B. PECK, Clerk,

October 13, 1836.

The following communication was received from His Honor the Lieutenant Governor :

MONTPELIER, Oct. 13, 1836.

Hon. E. N. Briggs, President, *pro tempore*, of the Senate :

SIR—Having just learned that I have been elected to the office of Lieutenant Governor, I have the honor to inform you that I propose to

attend, immediately, in the senate chamber to take the necessary oaths of office and to enter upon the discharge of its duties.

Very respectfully, sir,

Your humble servant,

D. M. CAMP.

His Honor the Lieutenant Governor appeared in the Senate, was duly qualified and took the chair as President of the Senate; and thereupon addressed the Senate as follows:

GENTLEMEN OF THE SENATE:

In entering upon the duty of presiding officer, it has occurred to me that it might be proper, and perhaps expected, that I should submit a few remarks suggested by the occasion, and give some intimation of the course which it will be my design to pursue. Respect for you seems to require this. That provision in the constitution, which makes the Lieutenant Governor the President of the Senate, obviously demands it.

All legislative bodies in this country, with perhaps, the exception of the Senate of the United States and that of the state of New York, enjoy the right of selecting from their own number a presiding officer.

This has been supposed wisely calculated to promote harmony and ensure efficient action. Whether these important ends may not be equally attained under our organization, is yet to be proved, and I am aware must, in a good degree, depend upon the manner in which the duties of the chair are discharged. I cannot but sensibly feel the delicacy of my situation, admonished as I am, by the presence of gentlemen older and far more experienced, that were you left to the freedom of a direct choice, and were I also a member of your body, you would make a different selection.

It will be my earnest desire and constant endeavor, so to conduct as to leave you no reason to regret that the usual privilege is withheld from you. But the wisdom or the weakness, exhibited in this peculiar feature of our constitution it is not my design to discuss. It would be useless for any of us to do so, for a bare statement of the question would remind us that such is the organic law of the state, which we may not disregard and cannot alter.

The station of presiding officer of a legislative body requires a scope and diversity of talent which few will have the temerity to claim. The instances of entire success are rare, indeed, except where much wisdom and industry have been united with long experience. Patience and promptitude, candor and zeal, decision and forbearance, energy and coolness, must alternately, and at the critical moment, be exhibited by one, who seeks the approbation of his fellow citizens in this difficult and important station. But, gentlemen, whilst I painfully feel the embarrassment arising from a very limited experience in the business of legislation, I seek in vain for precedent or example in the peculiar duties of the office in this state. I cannot but flatter myself that an honest endeavor, on my part, will insure your cordial co-operation, furnishing all the aids of your wisdom, experience and forbearance.

I am also well aware that the incessant labor and untiring vigilance required from the presiding officer of a large and promiscuous assemblage, made up of persons of opposite characters and representing a variety of opposite interests, will not be expected here where the number is comparatively small and each one possessing a character for wisdom and experience.

A frequent resort to the rules for the preservation of order, so difficult and so invidious in their application, I am sure will seldom become necessary.

The provisions of the constitution and the rules which you may adopt, for regulating the action of the Senate, it will be my duty to support and maintain. This I shall endeavor to do in a measure consistent with parliamentary practice, with respect for you individually, and an ardent desire to promote the interests of our common constituents. Further than this, for the preservation of order and for facilitating the operations of business, I shall mainly rely upon a becoming self-respect, a love of regularity and decorum, and an ambition to be useful, which, I confidently trust will be uniformly exhibited by every senator.

The circumstances, gentlemen, under which we meet, though new and peculiar, demand our mutual congratulations. The political desideratum, long and anxiously sought by the wisest men of our state, is, at length, obtained. The Senate of Vermont, possessing co-ordinate legislative powers, by the free and spontaneous action of the people, has been instituted and you are delegated by the freemen of your respective counties to make the first essay at legislation, as senators. On you is devolved a more than usual weight of responsibility. The friends of the amendment of the constitution have, doubtless, been somewhat unreasonable in their anticipations of benefits, which they promised, and will not very patiently submit to disappointment, while those, attached to the ancient order of things, will abate nothing of the advantages, which have been described as the necessary result; hence, you will see the necessity of great prudence, of much wisdom and untiring industry, to meet their high-wrought expectations.

But as it is now a settled axiom of political economy, that the interests of a people are best secured by a division of the legislature into two independent bodies of co-equal powers, so we may rest assured that the experiment, which has uniformly succeeded elsewhere, will not fail here, for we are not at liberty to suspect that the people of this state, having the light of experience, will not reason and judge as correctly as any other. We may by our action hasten, or retard their decision; but ultimately it must be pronounced, and we may not doubt that it will be in accordance with the opinion of enlightened citizens of other states.

Much of the success of the Senate will depend upon an auspicious beginning.

The first and probably most important duty, which will demand your attention, is to provide a code of rules. Without these, it is difficult even to commence your ordinary legislative duties. Rules should be so constructed as to leave as few occasions as possible for the existence of discretion in the President; should be specific and minute so as to furnish a plain direction in every case of importance and carefully guard the respective rights of the majority and minority on every question.

It seems to be very obvious that a body, which does not choose its presiding officer, cannot with propriety assign to him the power of appointing its committees and officers.

In a large body mostly strangers to each other, these appointments would consume considerable time and might prove a source of irritation. Not so in a small one like this. These elections can be made in a brief space of time, and the President saved a most embarrassing and sometimes odious exercise of power.

Expedients for regulating the freedom of debate in a body so small as this, can hardly become necessary, and as a consequence, many embarrassing questions, growing out of the construction and application of rules providing for them may be avoided.

I cannot but suggest the propriety of so framing your rules that we may never have to contend with the subtleties and perplexities of the previous, and some other privileged questions.

These seem to have originated in parliament, with a view of avoiding the evil consequences of some stubborn and unbending regulations previously incorporated in the rules of proceedings.

There may be much learning and ingenuity in these questions, but a plain common sense legislature is equally removed from any necessity for such proceedings and the ability at once to comprehend them.

In consequence of the relations created by the constitution between the Senate and the House of Representatives it will be necessary that your early attention should be given to the construction of a system of joint rules of both houses. These will be indispensable to the proper discharge of various and important duties.

They must be the joint work of both houses, and care should be taken to prevent collision, either in their construction, or subsequent interpretation. The just rights of each house should be carefully guarded and no undue advantage sought or accepted by either. These initiatory steps having been taken, you will have, gentlemen, an extensive field of labor before you, inviting the diligent employment of your time and the exercise of your best talents, with a fair prospect of usefulness. It will afford me pleasure ever to co-operate with you in such a manner as, if possible, to lighten your labors, and to secure from the public a just appreciation of their value, so that you may secure all the reward you will either seek or accept, the approbation of your constituents.

On motion of Mr Hammond,

Ordered, That the Senate now proceed to the election of a Secretary of the Senate, for the year ensuing.

The ballots having been taken and examined, Norman Williams had a majority of all the votes and was duly elected.

Mr. Briggs introduced the following resolution :

Resolved, that a committee of three be appointed by the President to report rules for the government of the Senate,

Which was read and adopted, and thereupon Messrs. Briggs, Merrill and White were appointed the committee.

Mr. Williams, Secretary elect, appeared and was duly sworn and took his seat as Secretary of the Senate.

R. PIERPOINT, Secretary *pro tem*.

On motion of Mr. Pierpoint,

Ordered, That the Senate shall meet every day (Sundays excepted,) at nine o'clock in the morning and at two o'clock in the afternoon, unless otherwise specially ordered.

On motion, the Senate adjourned.

FRIDAY, OCTOBER 14, 1836.

On motion of Mr. Pierpoint,

The journal of the proceedings of yesterday was read.

Mr. Hammond introduced the following resolution :

Resolved, the House of Representatives concurring herein, that the Secretary of the Senate and Clerk of the House of Representatives be directed to procure to be printed four hundred copies of a Directory containing a list of the members of both houses and their officers, designating the boarding houses and number of the room of each one, also the rules of both houses and standing committees.

Which was read and passed.

Mr. Kinsman introduced the following resolution :

Resolved, That the Secretary of the Senate be required to furnish two daily papers, published at Montpelier, to each member of the Senate, such as each member may designate, during the session of the legislature.

Mr. Hammond moved to amend the resolution by inserting, after the word daily, the words *and three weekly*, so as to read *two daily and three weekly papers*.

Which amendment was adopted.

And on the question, Shall the resolution pass, the yeas and nays, being required by Mr. Smilie, were as follows :

Those who voted in the affirmative are

Messrs. Barnes, Beckwith, Bell, Briggs, Converse, Gates, Hammond, Henry, Howe, Hubbell, Merrill, Miller, Palmer, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, Van Sicklin, Watson, White, Young—23.

Those who voted in the negative are

Messrs. Grandy, Hebard, Keyes, Kinsman, Smilie, Tenney, Waterman—7.

So the resolution passed.

Mr. Briggs, from the committee appointed to report rules for the government of the Senate, made report of a series of rules,

Which, being read,

On motion of Mr. Palmer,

Ordered that the report be laid upon the table.

Mr. Briggs, from the same committee, introduced the following resolution :

Resolved, the House of Representatives concurring herein, That a committee of two members from each house be appointed to report joint rules of the two houses, and that the committee report to each house.

Which was read and passed.

A resolution from the House of Representatives :

Resolved, if the Senate concur, that the Secretary of State be directed to deliver to each member of the Senate and House of Representatives ; to the Governor, Lieutenant Gov., Treasurer, Clerk of the House of Representatives and Secretary of the Senate a copy of the journal of the convention holden at Montpelier on the 6th of January last for the purpose of acting upon the proposed amendments to the constitution.

Which being read, on motion,

Resolved that the Senate concur in passing the resolution.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, that both Houses meet in joint assembly in the representatives' hall at ten o'clock in the forenoon on Saturday next, for the purpose of electing Judges of the Supreme Court.

Which being read,

Resolved to concur in passing said resolution.

On motion of Mr. Porter,

The report of the committee appointed to report rules for the government of the Senate was called up and progress was made therein.

On motion of Mr. Briggs,

The Senate adjourned.

AFTERNOON.

The following communication was received from His Excellency the Governor :

EXECUTIVE DEPARTMENT, VERMONT, }
Montpelier, Oct. 14, 1836. }

To His Honor the Lieutenant Governor,
President of the Senate :

SIR—I have the honor to inform the Senate that George B. Manser is appointed Secretary of civil and military affairs; and that at three o'clock this afternoon I propose to make, to the Senate, my executive communication.

I have the honor to be, sir,

Your obedient servant,

SILAS H. JENISON.

The Senate, as in committee of the whole, took up the report of the committee appointed to prepare rules for the Senate, and adopted the same with amendments as follows, to wit :

Rules of the Senate of the State of Vermont.

1. The credentials of Senators shall be presented to the Secretary or assistant Secretary, previous to nine o'clock, in the morning of the second Thursday of October, at which time the Senate shall be called to order. The names of the senators shall be called over, and when a quorum shall have taken their seats, they shall, having first taken the necessary oaths, on nomination of the President, appoint a canvassing committee consisting of one senator from each county, to join such committee as the House of Representatives may appoint, whose duty it shall be to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, and make report thereof to the joint assembly of both houses.

2. The Senate shall meet, every day, (Sundays excepted) at nine o'clock in the morning and at two o'clock in the afternoon, unless otherwise specially ordered.

3. The President having taken the chair and a quorum being present, the journal of the preceding day shall be read and all errors therein corrected.

4. In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have power to send the Sergeant-at-arms or other officer after the absentees, and compel their attendance.

5. Whenever the Senate shall assemble, according to adjournment, or at the commencement of the session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a senator, to call to order, and the senators present, if a quorum, shall by ballot, elect a President *pro tempore*.

6. No senator shall be absent without leave, unless he is sick or otherwise necessarily detained.

7. No senator shall audibly speak to another, or otherwise interrupt the business of the Senate, while the journal or other public papers are being read, or while a senator is orderly speaking in debate.

8. Every senator when he speaks shall, standing in his place, address the President, and when he has finished, shall sit down.

9. No senator shall speak more than twice, on the same question, without leave of the Senate, and senators, who have once spoken, shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

10. In all cases, the senator first arising and addressing the President (subject to the restriction of rule ninth) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11. When a senator shall be called to order, he shall sit down, and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate.

12. If a senator be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, by the senator calling to order, that the President may be better enabled to judge of the matter.

13. The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials, remonstrances, motions, resolutions and the introduction of bills; after which, the orders of the day or other proper business shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in the receiving and disposing of reports of committees and in completing the business of the morning hour; at the expiration of which the Senate will again take up the orders of the day.

14. Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate when a call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any senator.

15. The proceedings of the Senate, except when acting as in committee of the whole, embracing the titles of bills and such parts thereof as may be affected by proposed amendments, and also the names of senators and the votes which they gave on every question decided by yeas and nays, shall be, by the Secretary, accurately and concisely inserted in the journal.

16. The Senate shall annually, within the four first days of actual sitting, elect by ballot (and a majority of all present shall be necessary to a choice,) a Secretary,—an assistant Secretary, who shall be, ex-officio Engrossing Clerk,—a Sergeant-at-arms and a Messenger, who shall severally be sworn to the faithful discharge of their duties, and shall hold said offices until superseded by a new election. The Senate shall also, within the same time, elect the following standing committees, to consist of three members each, to wit: on Finance, on the Judiciary,

on Claims, on Education, on Agriculture, on Manufactures, on Elections, on Rules, on Military Affairs, on Roads and Canals, on Banks and on Land taxes.

17. In the appointment of committees, (except the one mentioned in rule first,) the Senate will proceed by ballot severally to appoint the chairman of each, and then by one ballot the other members necessary to complete the same. In the election of a chairman, a majority of the votes given shall be necessary, but for the others a plurality shall be sufficient. Provided, the Senate may, without formally suspending this rule, direct a select committee to be appointed by the President.

18. All petitions, memorials, remonstrances and other papers, calling for legislative action, together with all resolutions, bills and amendments, (except such as have been reported by a committee) shall, after the first reading, no objection being made, be referred by the President to appropriate committees.

19. Before any resolution, any petition or other paper addressed to the Senate shall be received and read, whether the same shall be introduced by the President or a Senator, the title shall be fairly endorsed thereon, and a brief statement of its object or contents shall be made by the introducer.

20. Every motion shall be reduced to writing by the mover, if required thereto by the President or a senator, and a motion to lay another motion, the latter not in writing, on the table or otherwise to dispose of it, shall not be in order.

21. Every bill shall receive three readings before it is passed; the President shall give notice at each reading, whether it be the first, second or third; the last of which readings of public bills shall be, at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise; provided, that private bills shall be read the second time by their title.

Resolutions requiring the approbation and signature of the Governor, shall be treated in all respects as bills.

22. All public bills, after a second reading, shall be considered by the Senate as in committee of the whole.

23. The final question upon the second reading of every bill which originated in the Senate shall be, "shall this bill be engrossed and read a third time?" No amendment shall be received at the third reading, but it may be committed for amendment at any time before its final passage.

24. Motions on bills and resolutions shall be sustained in the following order: first, to postpone indefinitely; second, to lay upon the table; third, to commit; fourth, to amend.

25. A call for the previous question shall not, at any time, be in order. A motion to adjourn shall always be in order and shall be decided without debate.

26. If the question in debate shall contain several points, the same shall be divided on the demand of a senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one; or a motion simply to strike out; nor shall

the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

27. In filling blanks the largest sum and longest time shall be first in order.

28. When the reading of a paper is called for and the same is objected to by a senator, the question shall be determined by a vote of the Senate.

29. The yeas and nays shall be taken on the call of a senator, and every senator present shall vote unless excused by the Senate; but no senator shall be compelled to vote who was absent when the question was stated by the President, nor shall any one be permitted to vote who was absent when his name was called, nor after the decision of the question has been announced from the chair.

30. No senator, in the minority, nor one who did not vote in the decision of a question, shall have a right to move a reconsideration thereof: nor shall any motion for a reconsideration be in order unless made before the close of the next day of actual sitting of the Senate after that in which the vote was taken and before the bill, resolution, report, amendment, address or motion upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31. On all questions in the decision of which a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases a motion for reconsideration, if made in time, shall be in order from any senator who voted on the question.

32. The President shall have a right to call upon any senator to discharge the duties of the chair, whenever he shall find it necessary, temporarily to retire; but such substitution shall not extend beyond more than one adjournment.

33. The Senate, having taken a final vote on any question, the same shall not again be in order during the same session in any form whatever, except by way of reconsideration, and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34. No proposition to amend the rules of the Senate, or the joint rules of both houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours.

35. Messages shall be sent to the House of Representatives by the Secretary or assistant Secretary.

36. Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37. No persons shall be admitted within the lobby of the Senate chamber, except the Governor, Treasurer of the State, Auditor of accounts, members of the other house, Judges of the supreme court, Senators and Representatives in Congress, Ex-Governors and Lieutenant Governors, Ex-Judges of the supreme court, Ex-Senators and Representatives in Congress, District Judge and Attorney of the United States, members of other state legislatures, and such gentlemen and ladies as the President or a senator may introduce.

38. When in session the senators shall sit with their heads uncovered.

39. All gentlemen in the lobby and gallery shall sit with their heads uncovered, and upon any disorderly conduct in the gallery the President may order the same to be cleared.

The following written message was received from the Governor, by Mr. Manser, Secretary of civil and military affairs.

MESSAGE.

GENTLEMEN OF THE SENATE,

AND OF THE HOUSE OF REPRESENTATIVES:

In a community possessing and exercising the powers of self-government, where all power and authority annually emanate from the people, and by the established usages of the country annually return to the fountain from whence they came, it is of the first importance that the fountain should be kept pure. The safety and permanency of our free institutions depend solely upon the public virtue and general intelligence of the people. Hence the necessity of that guardianship which the laws assume over the one, and the indispensable duty of the government to secure and effectually provide for the other. Genius is as often found under the humblest roof as in the dwellings of the affluent. It is public property; and provision should be made to educate at the public expense, every child in the state, whose parents are unable to do it.

I would earnestly recommend to the consideration of the Legislature, an examination of the acts relating to the support of common schools. It is feared they are radically defective, inasmuch as they do not sufficiently provide for the employment of teachers in the education of our children of suitable attainments and qualifications. The public monies, arising from rents, income of loans, and the three cent school tax, are now divided among the several districts in each town according to the number of children between four and eighteen years of age. I have no doubt, that the great interests of education would be better promoted, by dividing one third, or some certain share fixed by law, of the public money accruing in each town, equally among the several districts in the same, and the residue in proportion to the number of scholars in each district, as now provided by law. Such a provision would seem to equalize the benefits resulting from the public aid afforded to common schools, enabling the smaller districts to procure the services of better qualified teachers and to continue their schools for a longer period, and lessening the tendency to extravagance and waste, which it is feared may exist in some of the larger districts.

In connection with this subject permit me to suggest, that, although our schools are in many places, able to avail themselves of competent teachers from our colleges and academies, still it is believed that in the state there is a want of well qualified teachers, and it is worthy of enquiry whether it would not comport with, and be the legitimate duty of the legislature to provide for and patronise some suitable institutions for the education of teachers. Public opinion seems to call for some measure of this kind. An opportunity is now afforded through the means of the surplus revenue, soon to be placed at the disposition of our state, of making, probably, an effectual and permanent provision for the support of our primary schools, and for the encouragement of other institutions of learning, and also to enable the towns to diminish, what is considered by some, the onerous burthen of the three cent school tax.

A revision of the entire code of our militia laws is earnestly called for. Repeated additions and alterations have so obscured their meaning, and diminished their effect, that they are known in many instances to have failed in the accomplishment of the objects for which they were enacted. They are expensive and unequal in their operation, and perfectly inefficient, so far as subordination and discipline are concerned. A well disciplined militia has ever been considered the surest safeguard in a free government, and well deserves all the commendation which has been bestowed upon it. It is earnestly hoped that the legislature will be disposed to give to this subject that consideration which its importance demands.

In the progress of the session your attention may be called to the consideration of the laws relating to imprisonment for debt. Within a few years they have been shorn of much of their severity. Should the legislature, however, deem it expedient to abolish or change our present system, rigorous measures ought to be adopted for the prevention of fraud; and while the rights of the really poor debtor are provided for by the humane policy of our laws, the rights of the honest, and in many cases, poor creditor, should be secured by the terrors of criminal punishment.

The pursuits of our people are, at present, essentially agricultural, and being such, we must in some measure, remain dependent for many of the necessities and luxuries of life, as well as for a market for the surplus products of our soil. But from the enterprising spirit manifested by many of our citizens for a few years past, it is very apparent, that we are destined at no distant period to become also a manufacturing people. The facilities afforded for propelling machinery in the immense water power every where abounding throughout our territory, the inexhaustible mineral wealth of our mountains, together with the cheapness of living, will, unless discouraged by a narrow and illiberal course of legislation, present such inducements to our citizens, and to foreign capitalists as will lead them to increase their investments in manufacturing establishments, and thereby secure to the cultivator of the soil a more certain and uniform reward for his industry. Although adequate protection for our manufacturing interests cannot be afforded by any legislative action of ours, still, we may and perhaps ought, on all suitable occasions to express our convictions and expectations that the general government will lend its aid.

In connection with the interests of agriculture and manufactures, perhaps I may be permitted the enquiry, whether public opinion does not point, too plainly to be misunderstood, to the necessity of commencing, at some period, improvements in our facilities of communication, worthy of the state and of the age in which we live.

Satisfied, as I am, that it is only a question of *time* when the state shall step forward and do something to encourage this great work, I submit to the wisdom of the legislature whether the time has not already arrived, beyond which it would be a dereliction of duty, and disregard to the prosperity and best interests of the people of our state, to postpone the incipient measure of some system of internal improvement: whether this legislature will not cause surveys to be made, at the public expense, of some of the leading routes, with particular and accurate estimates of the expense, and the probable business which may be done upon them. I am not so visionary as to suppose, that with the present resources of our government, this state will undertake, like some of her sister states, any gigantic system of Internal Improve-

ment:—but after a thorough examination of the several projects, with careful estimates of their expense and probable income, is it unreasonable to believe that some of these routes may be found feasible, and afford fair prospects of profit, and that the energies of our own citizens may thus be aroused to attempt and accomplish some one of them. To one, who has attentively marked the march of improvement,* among our sister states, who has seen Canals and Rail Roads formed as it by magic, while no attempt has been made to improve the facilities of communication in our own state, the cause of the daily drain of wealth, and what is of incalculably greater importance to any community, the unprecedented emigration of our best and most enterprising citizens, is not problematical.

By the provisions of the act of congress of the last session, entitled "an act regulating the deposits of the public money," it will become the duty of the legislature to provide by law, some means to enable the Treasurer to receive, on deposit, the amount, which by the terms of the act may be received by this state. It is the money of the people, and it is hardly to be supposed that, when once distributed to the several states, the exigencies of the general government will soon if ever demand its re-payment. The provisions of this act are deemed wise and salutary. The unexpected and rapid accumulation of money in our national treasury, the evil of placing under the control of government too much of the wealth of the nation, combine to render such a distribution necessary. I would not be understood as being desirous or willing, to place the principal of this fund beyond the control of the legislature: It should be kept, so long as it remains at the disposal of this state, as an inviolable fund. The income only, which to all intents is the property of the people, should be annually applied for the support of common schools, as in that application and in that only can the beneficial effects resulting from the distribution be so fully and equally realized by the whole people.

I am not disposed to remark upon the various projects which will probably be presented for your consideration, but would simply suggest a plan which I consider liable to the least objection. The several towns in the state might be made the depositories of such share of the whole amount received, as by their population they would be entitled to:—and be made accountable to the state in the same manner that the state is to the general government.—The selectmen of the several towns, a board, already, by the laws, entrusted with the prudential affairs of the same, might manage such share as such town should receive, and cause the income to be divided among the several school districts in such manner as might be provided by law.

It is believed that the fund might be managed, the income applied and the advantages more impartially distributed in this manner, than in any other.

During the recess of the legislature, communications have been made to me by the executives of the states of Pennsylvania, North Carolina, Alabama, Kentucky, Ohio, Mississippi, Virginia, Maine, Connecticut, South Carolina and New York, enclosing resolutions of the legislatures of those states upon various subjects, and containing requests that they be communicated to the legislature of this state, which will be laid before you at an early day.

The vacancy occasioned by the death of the Hon. Timothy Merrill, late Secretary of State, was supplied by the appointment of Ferrand F.

Merrill, who had held the office of deputy Secretary under the late incumbent.

The recent adoption of the amendments to our constitution will necessarily call your attention to an alteration, in the several acts relating to the passing of laws, to meet the present organization of the Legislature.

I have, as I deemed it my duty, thus frankly submitted to you my views upon the subjects alluded to in this communication; relying upon your wisdom and general knowledge of the wants of our state for such legislative action, as will advance the virtue and happiness of our citizens, and secure, in their purity, our free institutions.

I should do injustice to my own feelings, should I omit, on this occasion, to express my grateful and respectful sense of the confidence reposed in me by an election, by a majority of my fellow citizens, to the responsible office of chief magistrate of the state. Aware that the servants of the people should be judged, not by their professions of zeal for the public good, but by the manner in which they shall discharge the trusts reposed in them, I will barely remark, that in the performance of my official duties, I shall rely on the cordial co-operation of the several branches of our government, and the generous and liberal support of an intelligent people.

SILAS H. JENISON:

EXECUTIVE DEPARTMENT, VT. }
Montpelier, Oct. 14, 1836. }

On motion of Mr Bell,

Ordered that the Senate proceed to the election of an assistant secretary, sergeant at arms and messenger.

The ballots being taken and examined for assistant secretary, William Weston was duly elected.

The ballots being taken and examined for sergeant at arms, Milton Brown was duly elected.

The ballots being taken and examined for messenger, Abel Carter was duly elected.

On motion of Mr Merrill,

Ordered that the Senate proceed at this time to the election of a chaplain—and

On motion, Rev. Buel W. Smith was elected chaplain.

Mr. Weston, assistant secretary, appeared in the Senate, was duly sworn and entered upon the duties of his office.

On motion, the Senate adjourned.

SATURDAY, OCTOBER 15, 1836.

Mr Milton Brown, sergeant at arms, and Mr Abel Carter messenger, appeared in the Senate and were severally sworn, as required by the rules of the Senate.

Mr. White introduced the following resolution:

Resolved, that the Senate do now proceed to the election of the standing committees, beginning with the appointment of a chairman for each committee in their order; and then complete the election by adding two senators to each, agreeably to the rules of the Senate.

Which was read and passed.

Whereupon the Senate proceeded to ballot for the standing committees and the following were appointed, viz :

ON FINANCE—Messrs. Hammond, Steele and Van Sicklin.

ON THE JUDICIARY—Messrs. Briggs, Hebard and Hubbell.

ON CLAIMS—Messrs. Pierpoint, Converse and Howe.

ON EDUCATION—Messrs. Sheldon, Watson and Bell.

ON AGRICULTURE—Messrs. Palmer, Keyes and Grandy.

ON MANUFACTURES—Messrs. Henry, Waterman and Miller.

ON ELECTIONS—Messrs. White, Gates and Barnes.

ON RULES—Messrs Briggs, White and Merrill.

ON MILITARY AFFAIRS—Messrs. Phelps, Merrill and Tenney.

ON ROADS AND CANALS—Messrs. Young, Ranney and Kinsman.

ON BANKS—Messrs. Porter, White and Howe.

ON LAND TAXES—Messrs. Smilie, Beckwith and Gates.

A message from the House of Representatives by Mr. Miner their clerk :

Mr. President : The House of Representatives have concurred with the Senate in the passage of a resolution for the appointment of a committee of two members from each house to report joint rules for the two houses, and have on their part appointed Messrs. Tracy and Foot.

The President announced, as a committee on said resolution, on the part of the Senate, Messrs. Pierpoint and Porter.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, that both houses meet in joint assembly on Monday next, at two o'clock in the afternoon in the representatives' hall for the purpose of electing a superintendent of the Vermont state prison, surveyor general, auditor of accounts against the state, and bank commissioner.

Which was read and, on motion of Mr Briggs,

Ordered that it be laid on the table.

Mr. Young moved a reconsideration of the vote taken yesterday on the passage of the resolution for providing newspapers for the senators during the session.

On the question shall the vote be reconsidered, the yeas and nays were taken and were as follows :

These who voted in the affirmative are

Messrs. Grandy, Hebard, Henry, Howe, Palmer, Porter, Smilie, Steele, Tenney, White and Young—11.

Those who voted in the negative are,

Messrs. Barnes, Beckwith, Bell, Briggs, Converse, Gates, Hammond, Hubbell, Kinsman, Merrill, Miller, Pierpoint, Phelps, Ranney, Sheldon, Van Sicklin, Waterman and Watson—18.

So the motion was lost.

On motion of Mr. Porter,

Ordered that the copies of the record of votes for senators transmitted by the clerks of the several counties to the President of the Senate,

and the certificates of the votes given for senators in the several towns, be referred to the committee on elections. }

The message of the governor communicated to the Senate yesterday, was taken up and reference thereof made as follows:

So much thereof as relates to common schools, to the committee on education.

So much as relates to the militia, to the committee on military affairs.

So much as relates to agriculture, to the committee on agriculture.

So much as relates to manufactures, to the committee on manufactures.

So much as relates to internal improvements, to the committee on roads and canals.

So much as relates to the receipt and disposition of the surplus revenue, to the committee on finance.

So much as relates to imprisonment for debt, to the committee on the judiciary.

The Senate adjourned.

AFTERNOON.

Mr Phelps introduced the following resolution:

Resolved, that his excellency the commander in chief be requested to furnish the Senate with a copy of the annual returns of the adjutant and inspector general and the quarter master general for the year 1835, accompanied with such information and suggestions, as to the present condition and future government of the militia, as he may deem proper and expedient.

Which was read and passed.

Mr. Watson introduced the following resolution:

Resolved, that the subject of "the mode of balloting for senators within the several counties, and the means and manner by which the result of the balloting shall be ascertained, and through which the senators shall be certified of their election and filling all vacancies in the Senate," be referred to the committee on the judiciary, and that they report by bill or otherwise.

Which was read and passed.

Mr. Pierpoint introduced a bill entitled "an act to repeal part of an act relating to petitions to the general assembly," which was read the first and second time and ordered to be engrossed and read a third time on Monday afternoon.

The Senate adjourned.

MONDAY, OCTOBER 17, 1836.

Mr. White introduced the following resolution:

Resolved, that one senator from each congressional district in this state be appointed to join such committees as the House of Represen-

tatives may appoint, to receive, sort and count the votes for members of congress in the several districts, and that said committee be appointed by the chair.

Which was read and passed, and thereupon the following gentlemen were appointed the committee :

For the first district....Mr. White.

For the second district....Mr. Hammond.

For the third district....Mr. Phelps.

For the fourth district....Mr. Van Sicklin.

For the fifth district....Mr. Waterman.

And said committee was duly sworn.

Mr. Pierpoint, from the committee appointed to report joint rules of the two houses, made report of the following rules, which were read and adopted on the part of the Senate as the joint rules of the two houses, viz :

Joint Rules of the Senate and House of Representatives.

1. A joint assembly shall be formed by a union of the Senate and House of Representatives in the hall of the latter, for the purpose of electing certain state and county officers, in which the Secretary of State, or in his absence the Secretary of the Senate, shall officiate as clerk. It shall be formed only at such time and for such specific purpose as may be expressed in a concurrent resolution of both houses, and may adjourn from time to time during the sitting of the General Assembly.

2. The proceedings of every joint assembly, including the resolutions ordering the same, shall be recorded by the clerk in a book kept for that purpose, which shall be preserved in the office of the Secretary of State, a copy of which shall be furnished to the Governor by the Secretary of State, but shall not be reported to the Senate or House of Representatives, or published with their journals unless specially so ordered.

3. Previous to the meeting of any joint assembly for the purpose of electing county officers, the members of the Senate and House of Representatives from the several counties shall convene in county conventions, and make a nomination for all the officers to be elected in their respective counties and present the same for the consideration of the joint assembly, and no nomination of any county officers shall be finally acted on by the joint assembly until the same shall have been submitted to the county convention.

4. The rules of the Senate so far as applicable, shall be observed in regulating the proceedings of every joint assembly.

5. The standing committees of the Senate and House of Representatives, to whom the same subject matters shall have been referred, may for the purpose of facilitating business, meet together as a joint committee, and make a joint or separate report to either or both houses as they may think expedient.

6. In every case of a disagreement between the Senate and House of Representatives, if either shall request a conference and appoint a committee for that purpose, and the other house shall also appoint a committee on its part, such committees shall meet at a convenient hour to

be agreed upon by their chairman in the conference room, and state to each other verbally or in writing the reasons of each house for its vote on the subject matter of disagreement, confer freely thereon, and make report of their doings to their respective houses as soon as may be.

7. Committees of conference shall consist of an equal number from each house, and shall return the papers referred to them to that house which last voted upon the subject matter of disagreement.

8. When bills are on their passage between the two houses, they shall be under the signature of the secretary or clerk of each house respectively.

9. After bills have passed both houses, and a certificate showing the one in which they respectively originated has been duly endorsed thereon, they shall be delivered to a joint standing committee of two senators and two members of the House of Representatives, to be designated the committee on bills, who shall make careful examination, and see that they are correctly engrossed, and when satisfied of their accuracy, shall present them, first to the speaker of the House of Representatives, and then to the president of the Senate for their official signatures, and having obtained them, they shall forthwith deliver them to the governor for his approbation, and shall make true report to both houses of the day on which each bill was delivered to the governor, which shall be duly entered upon the journal of each house.

10. When a bill or resolution, which shall have passed one house, is rejected in the other, notice thereof shall be given to the house in which the same shall have passed and all such rejected bills or resolutions, with the accompanying papers, shall be returned to and left in custody of the house which first acted upon them.

11. Each house shall transmit to the other, all papers on which any bill or resolution shall be founded, and should such bills or resolutions pass both houses, the same papers shall be delivered to the governor.

12. After each house shall have adhered to the vote of disagreement, a bill or resolution shall be lost.

13. No bill which shall have passed one house, shall be sent for concurrence to the other, on either of the two last days of the session.

Mr. Young introduced the following resolution :

Resolved, that the committee on rules be instructed to inquire into the expediency of providing, by a rule or rules of this house, the most suitable and expeditious method of determining the right of any person to a seat in the Senate, in case of contested elections, and make report thereon.

Which was read and passed.

A message from the House of Representatives, by Mr. Miner, their clerk :

Mr. President : The House of Representatives have passed a bill entitled "an act directing the mode of electing Senators to represent this state in the Congress of the United States,"—and a resolution for the appointment of a librarian, in both which they ask the concurrence of the Senate.

A resolution from the House of Representatives, assigning a time for a joint assembly for the purpose of electing a superintendent of the

Vermont state prison, surveyor general, auditor of accounts against the state, and bank commissioners, was taken up, and

On motion of Mr Briggs,

Resolved to concur in the passage of said resolution with the following amendment, viz :

Strike out, after the word *Monday*, the word *next*, and insert the words "the 24th instant."

Mr. Briggs introduced a bill entitled "an act to repeal a part of an act relating to legal settlement."

Which was read the first time and referred to the committee on the judiciary.

Mr. Pierpoint moved the adoption of the following as a rule of the Senate :

RULE 40. Whenever a bill or resolution is laid on the table by order of the Senate, and shall have remained on the table twenty-four hours, it shall be taken up by the chair and presented for the consideration of the Senate, without a call or order on the subject.

On motion, the thirty-fourth rule of the Senate was suspended and the foregoing proposed rule was adopted as the fortieth rule of the Senate.

Mr. Converse introduced a bill entitled "an act in addition to an act empowering the judges of the supreme court to grant bills of divorce, passed Nov. 7, 1805."

Which was read the first time and referred to the committee on the judiciary.

Mr. Porter introduced a bill entitled "an act in addition to "an act incorporating the inhabitants of the centre village in Springfield, for the purposes therein mentioned."

Which was read the first time and referred to the committee on the judiciary.

Mr. Porter also introduced a bill entitled "an act incorporating the Black River Card Company."

Which was read the first time and referred to the committee on manufactures.

A bill from the House of Representatives, entitled "an act directing the mode of electing senators to represent this state in the Congress of the United States," was read the first and second time.

Ordered that it be read a third time to-morrow morning.

Mr. Watson introduced the following resolution :

Resolved, that the subject of the writ of habeas corpus and of making provision to render it a speedy and effectual remedy, be referred to the committee on the judiciary, and that they report by bill or otherwise.

Which was read and passed.

The Senate adjourned.

AFTERNOON.

Mr. Howe introduced the following resolution :

Resolved, the House of Representatives concurring herein, that a

joint committee consisting of three members of the Senate and such number as the House of Representatives may order, be appointed to designate the rooms to be occupied by the standing committees of both houses.

Which was read and passed, and Messrs. Howe, White and Young were appointed said committee on the part of the Senate.

The engrossed bill entitled an act to repeal part of an act relating to petitions to the general assembly, was read a third time.

On motion of Mr. Pierpoint, ordered that the bill be committed to a member for the purpose of being amended as follows: add to the bill the following words:

"Provided that this act shall take effect immediately after the passing of the same."

Mr. Pierpoint was appointed to make said amendment—and reported said bill amended, as proposed, which amendment was adopted and the said bill passed.

The following resolution from the House of Representatives was taken up:

Resolved, the Senate concurring herein, that the Senate shall have the same power to appoint a librarian that the Governor and Council had, under the resolution passed and concurred in November 17, 1825, subject to the same rules or such as the Senate shall, from time to time prescribe; and shall hold his office until the close of the next session succeeding his appointment and until another be chosen.

Which being read, on motion,

Resolved, That the Senate do not concur with the House in the passage of said resolution.

A message from the House of Representatives, by Mr. Miner, their Clerk:

Mr. PRESIDENT: The House of Representatives concur with the Senate in the amendment proposed to the resolution assigning a time for a joint assembly to elect the superintendent of the Vermont state prison, surveyor general, an auditor of accounts against the state and bank commissioner.

The House have also concurred with the Senate in the adoption of the joint rules reported and adopted by the Senate as joint rules for both houses.

The Senate, on motion of Mr. Pierpoint, took up the bill from the House of Representatives entitled "an act directing the mode of electing senators to represent this state in the congress of the United States."

The order directing the bill to be taken up to-morrow was rescinded, and by unanimous consent of the Senate the bill was read the third time and passed.

Mr. Briggs introduced the following resolution:

Resolved, that the committee on finance be instructed to examine the accounts of the superintendent for building the state house, and that they report as soon as convenient, the particular expenditure that has been made in erecting and furnishing the same; the cost of materials, labor and salaries paid, or to be paid, and what other and further appropriations and expenditures will be necessary to complete the same.

On the joint committee on bills, on the part of the Senate, Mr. Hubbell and Mr. Converse were appointed.

Mr. Converse introduced the following resolution :

Resolved, that the judiciary committee be instructed to inquire into the expediency of providing by law that in case of disagreement of opinion, among the judges of the supreme court, upon any question of law, that shall have arisen in the trial of any jury cause, the judge who presided at such jury trial shall not be allowed to vote or have any voice.

Which was read and passed.

The Senate adjourned.

TUESDAY, OCTOBER 18, 1836.

Mr. Bell introduced the following resolution :

Resolved, That the judiciary committee be instructed to inquire into the expediency of so altering the law that the reports of the treasurer, auditor in the treasury department, bank commissioners, superintendent of the state prison, agent of the concerns of the state bank—and the reports of other officers of the government heretofore made to the House of Representatives, be made to the governor, to be by him communicated to both branches of the legislature, and report by bill or otherwise.

Which was read and passed.

Mr. Young introduced the following resolution :

Resolved, that the committee on manufactures be instructed to inquire into the expediency of providing by law for the health, education and morals of such children and minors as may, hereafter, be employed in manufacturing establishments in this state : and report by bill or otherwise.

Which was read and passed.

Mr. Hebard, from the committee on the judiciary, to whom was referred a resolution, passed on the 17th instant on the subject of the writ of habeas corpus, made report that all necessary provisions now exist by law to render said writ "a speedy and efficient remedy in all cases proper therefor."

Mr. Briggs, from the committee on rules, made report of the following rules, which were read and adopted as rules of the Senate.

Rules in cases of Contested Elections.

1. The testimony to be used before the committee on elections of the Senate, when a senator's election is contested shall be taken in depositions, in the manner and form provided in an act entitled "an act in relation to contested elections, passed November 6, 1834," with such alteration as will make it applicable to a senator, instead of a member of the house of representatives, and also that the application for a citation, as provided in the second section of said act, shall be made within twelve days after the votes for senators are canvassed by the clerk or sheriff in the county in which the election is made.

2. Memorials, remonstrances and returns made by returning officers to be used in cases of contested elections, and depositions taken as before provided for, shall be filed with the secretary of the Senate on the first day of the session of the General Assembly, and be referred to the committee on elections, whose duty it shall be to report thereon within six days from the commencement of the session.

3. No evidence shall be heard, by said committee, except such as shall be taken and filed in the manner aforesaid, and records of courts duly authenticated.

Mr. Merrill, introduced a bill, entitled "an act in amendment of an act, directing the mode of election of Governor," &c.

Which was read the first time, and, on motion, referred to a select committee of three.

Ordered, that said committee be appointed by the chair.

On motion of Mr Hubbell, from the judiciary committee,

Ordered, that said committee be discharged from the consideration of a resolution passed on the 15th instant relating to the mode of balloting for senators, &c.

And on motion of Mr. Hubbell,

Ordered, that said resolution be referred to the committee raised on the bill entitled "an act in amendment of an act directing the mode of election of Governor," &c.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act to repeal part of an act, relating to legal settlement," reported the same, without amendment, and the bill was read the second time and considered as in committee of the whole; and no amendment having been proposed, it was reported to the Senate; and

Ordered that it be engrossed and read a third time to-morrow.

Mr. Bell introduced a bill entitled "an act in addition to an act establishing permanent salaries for certain officers and for regulating certain fees and taxable costs," &c.

Which was read the first time and referred to the committee on the judiciary.

The Senate adjourned.

AFTERNOON.

On the bill entitled "an act in amendment of an act directing the mode of election of Governor," &c. Mr. Merrill, Mr. Pierpoint and Mr. Young were appointed the committee.

Mr. Hammond introduced a bill entitled "an act incorporating the Green Mountain Iron Company," which was read the first time, and referred to the committee on manufactures.

Mr. Briggs introduced a bill entitled "an act to incorporate the Salisbury Manufacturing Company," which was read the first time and referred to the committee on manufactures.

Mr. Beckwith introduced a bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," which was read the first time and referred to the committee on claims.

A message from the house of representatives, by Mr. Miner, their clerk.

MR. PRESIDENT: the House of Representatives have concurred with the Senate, in the passage of a resolution for the appointment of a joint committee to designate rooms for the standing committees, and have on their part appointed Messrs. Vilas, Marcy and Dewey.

Mr. Converse from the committee on bills reported that the committee have this day delivered to the Governor, for his approbation, a bill entitled "an act directing the mode of electing senators to represent this state in the congress of the United States."

The Senate adjourned.

WEDNESDAY, OCTOBER 19, 1836.

Mr. Watson presented the petition of the Centre Turnpike Company, which was read and referred to the committee on roads and canals.

Mr. Howe introduced the following resolution :

Resolved, that the committee on education be instructed to inquire into the expediency of providing for a general and critical geological and topographical survey of the state and report by bill or otherwise.

Which was read and passed.

Mr. Merrill introduced the following resolution :

Resolved, that the judiciary committee be directed to inquire, whether it is not "expedient and necessary to erect a court of chancery, with such powers as are usually exercised by the court, or as shall appear for the interest of the commonwealth," and to report by bill or otherwise.

Mr. Pierpoint introduced a bill entitled "an act to incorporate the Castleton Manufacturing Company,"

Which was read and referred to the committee on manufactures.

Mr. Hammond introduced the following resolution :

Resolved, that the committee on roads and canals be instructed to inquire into the expediency of so altering the law for making and repairing highways, that any person, liable to pay highway taxes, may pay a certain portion thereof in money, which shall be in lieu of the annual tax now required to be paid in labor, and report by bill or otherwise.

Mr. Kinsman introduced a bill entitled "an act directing the treasurer of this state to pay Peter Nichols the sum therein mentioned."

Mr. Howe objected to receiving said bill, on the ground that it is a revenue bill, within the meaning of the proviso to the third section of the constitution of this state.

The chair decided that said bill is not a revenue bill, and is in order for the consideration of the Senate.

Mr. Howe appealed from the decision of the chair.

On motion of Mr. Watson, the appeal was laid on the table.

A message from the House of Representatives by Mr. Miner, their clerk.

MR. PRESIDENT: the House of Representatives have passed a bill entitled "an act to alter the name of Anderson Burt," in which they ask the concurrence of the Senate.

Which bill was taken up and read the first and second time, and ordered to be read the third time to-morrow morning.

Mr. Pierpoint introduced a bill entitled "an act to incorporate the Rutland Rail Road Bank,"

Which was read and referred to the committee on banks.

Mr. Young introduced a bill entitled "an act to prevent the interference of foreigners in elections,"

Which was read and referred to the committee on the bill entitled "an act in amendment of an act directing the mode of election of governor, &c."

An engrossed bill entitled "an act to repeal a part of an act relating to legal settlement," was read a third time and passed.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act establishing permanent salaries for certain officers and for regulating certain fees and taxable costs," reported said bill with amendments, which amendments were adopted, and the bill read a second time.

The Senate proceeded to consider said bill, as in committee of the whole, and it was amended and reported to the Senate, and the amendments were concurred in.

Mr. Pierpoint moved to amend the bill by crasing the whole of the title after the word *act*, and inserting in lieu thereof the words "relating to jailer's fees."

Which motion prevailed, and the bill was amended accordingly and ordered to be engrossed and read a third time to-morrow morning.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act incorporating the inhabitants of the centre village in Springfield, for the purposes therein mentioned," reported said bill with amendments, which amendments were adopted, and the bill read the second time and considered as in committee of the whole; and no amendment having been proposed, it was reported to the Senate and

Ordered that it be engrossed and read the third time.

The Senate adjourned.

AFTERNOON.

Mr. Watson presented the petition of Horatio Walker and others, which was referred to the committee on Roads and Canals.

The President communicated the following papers, viz :

The report of the superintendent of the Vermont state prison.

The exhibit of said superintendent showing the income and expenditures of said prison for the year ending September 30, 1836—and

The report of the committee appointed to settle with the superintendent of said prison,

Which were severally read and referred to the committee on finance.

Mr. Briggs introduced a bill entitled "an act to provide for reporting the decisions of the supreme court,"

Which was read and referred to the committee on the judiciary.

Mr. Young introduced the following resolution :

Resolved, that the committee on education be instructed to inquire into the expediency of providing, by law, for the erection or establishment of permanent meridional monuments, in the several counties in this state, whereby to ascertain and test the declination of the compass-needle; and also to provide for a more accurate system of surveying, by requir-

ing some test qualification of surveyors and their compasses—and report by bill or otherwise.

Which was read and passed.

The Senate adjourned.

THURSDAY, OCTOBER 20, 1896.

Mr. Sheldon introduced a bill entitled "an act relative to highways," which, by order of the Senate, was read the first and second time, and was referred to the committee on the judiciary.

Mr. Van Sicklin introduced a bill entitled "an act ascertaining the principles on which the list of this state shall be made and directing listers in their office and duty,"

Which was ordered to be laid on the table.

Mr. Hebard introduced a bill entitled "an act to incorporate the Tunbridge manufacturing company,"

Which, by order of the Senate, was read the first and second time and referred to the committee on manufactures.

Mr. Hebard introduced a bill entitled "an act directing the treasurer to pay Luther S. Burnham the sum therein named,"

Which was, by order of the Senate, read the first and second time and referred to the committee on claims.

Mr. Pierpoint introduced the following resolution:

Resolved, that the eighteenth rule of the Senate be so amended that bills shall be referred after the second reading, instead of the first.

Which was ordered to be laid on the table.

A message from the house, by Mr. Miner, their clerk:

MR. PRESIDENT: the House of Representatives have passed a bill entitled "an act altering the name of Pat Handley." They have also passed a resolution assigning a time for the election of a senator to represent this state in the congress of the United States—and a resolution assigning a time for the election of commissioners, under the act for the benefit of the deaf and dumb.

A bill from the House of Representatives, entitled "an act to alter the name of Pat Handley," was, by order of the Senate, read the first and second time.

Ordered, that it be referred to a select committee of two to be appointed by the chair.

The president thereupon appointed, as such committee, Mr. Pierpoint and Mr. Gates.

A resolution from the House of Representatives:

Resolved, the Senate concurring herein, that both houses meet in joint assembly on Monday the 24th instant, at two o'clock, for the purpose of appointing a board of commissioners provided for in the act for the benefit of the deaf and dumb.

Which was read and on motion,

Resolved to concur therein.

A resolution from the House of Representatives:

Resolved, the Senate concurring herein, that both houses proceed in their respective houses at ten o'clock in the forenoon on Friday next,

to elect a senator to represent this state in the Senate of the United States, for the term of six years to commence on the fourth day of March next ; and that both houses meet in the representatives' hall immediately thereafter to complete said election, according to law.

Which was read, and on motion,
Ordered that it be laid on the table.

A bill from the House of Representatives entitled "an act to alter the name of Anderson Burt," was read the third time.

Ordered, that it be laid on the table.

The engrossed bill entitled "an act in addition to an act, incorporating the inhabitants of the centre village in Springfield," was read the third time and passed.

Mr. Howe called up the appeal taken from the decision of the chair made yesterday in ruling that the bill entitled an "an act directing the treasurer to pay Peter Nichols the sum therein mentioned," is not a revenue bill within the meaning of the proviso to the third section of the constitution of this state.

And the question being stated from the chair,

Shall the opinion of the chair stand as the judgment of the Senate ?

Was decided in the affirmative, and the bill was, by order of the Senate, read the first and second time, and referred to the committee on claims.

AFTERNOON.

Mr. Palmer introduced a bill entitled "an act directing the treasurer to pay Abner Harris the sum therein mentioned,"

Which, by order of the Senate, was read the first and second time, and was referred to the committee on claims.

On motion of Mr. Van Sicklin, the bill entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," was taken up, and,

On motion of Mr. Pierpoint, the said bill was referred to the committee on finance.

Mr. Pierpoint called up the resolution from the House of Representatives, assigning a time for the choice of a senator to represent this state in the congress of the United States.

Mr. Waterman moved to amend said resolution by erasing the word *Friday* and inserting the word *Tuesday*.

And the question being taken thereon, was decided in the affirmative,
And on motion,

Resolved, to concur with the House of Representatives in said resolution with the said amendment.

The engrossed bill entitled "an act relating to jailer's fees," was taken up, and,

On motion of Mr. Porter,

Ordered, that it be laid on the table.

Mr. Porter, from the committee on banks, to whom was referred the bill entitled "an act to incorporate the Rutland Rail Road Bank," reported the same, which was read the second time and considered as in

committee of the whole—and it was amended and reported to the Senate and the amendments were concurred in, and

Ordered, that it be laid on the table.

Mr. Pierpoint introduced a bill entitled "an act relating to jail bonds," which, by order of the Senate, was read the first and second time, and was referred to the committee on the judiciary.

The Senate adjourned.

FRIDAY, OCTOBER 21, 1836.

Mr. White, from the committee on elections, made the following report :

TO THE SENATE NOW SITTING :

The committee on elections, having examined the credentials of members, and the certificates of the several county clerks, report :—That they find the following persons duly elected, by a plurality of votes, in their respective counties, to wit :—BENNINGTON, Orsamus C. Merrill, Winslow C. Watson ; WINDHAM, Phineas White, Waitstill R. Ranney, William Henry ; RUTLAND, Thomas D. Hammond, Zimri Howe, Robert Pierpoint ; WINDSOR, Francis E. Phelps, Samuel W. Porter, William Steele, Julius Converse ; ADDISON, Ebenezer N. Briggs, Jesse Grandy, Harvey Bell ; ORANGE, Abner B. W. Tenney, William Hebard, Thomas Keyes ; CHITTENDEN, John Van Sicklin, Jr., Harry Miller ; WASHINGTON, Araunah Waterman, Newell Kinsman ; FRANKLIN, Joshua W. Sheldon, Nathan Smilie, Homer E. Hubbell ; ORLEANS, Augustus Young ; ESSEX, William Gates ; GRAND ISLE, Melvin Barnes.

The committee further report, that there has been considerable negligence and want of uniformity in the returns of votes, for senators, from the several towns :

Therefore, they respectfully recommend the passage of a law "regulating the mode of balloting for senators within the several counties, prescribing the means and manner by which the results of the balloting shall be ascertained, and through which the senators chosen shall be certified of their election, and for filling all vacancies in the Senate which shall happen by death, resignation or otherwise."

Which report was read, and

On motion of Mr. White, it was referred to the committee on the bill relating to the mode of election of Governor, &c.

Mr. Bell introduced a bill, entitled "an act directing the treasurer to pay Silas H. Jenison the sum therein mentioned,"

Which was read the first and second time, and referred to the committee on claims.

Mr. Pierpoint called up the resolution introduced by him, yesterday, amending the eighteenth rule of the Senate, and the said resolution was read and passed.

Mr. Grandy introduced the following resolution :

Whereas, to us it appears that slavery is inconsistent with the principles of republican government,—therefore,

Resolved, the House of Representatives concurring herein, that our senators in congress be instructed, and our representatives requested, to

use their influence in favor of the abolition of slavery in the District of Columbia.

Which was read and on motion of Mr. Sheldon,
Ordered, that it be laid on the table.

Mr. Ranney introduced a bill, entitled "an act in explanation of an act, entitled an act in addition to an act, entitled an act directing the mode of election of governor," &c.

Which was read the first and second time and referred to the committee on the bill entitled "an act in amendment of an act directing the election of Governor, &c."

Mr. Waterman introduced the following resolution :

Resolved, that a committee of two be appointed to examine into the situation of the library, and to inquire into the expediency of an appropriation, for the purpose of purchasing books for the same, and that they confer with the committee appointed on the part of the house, for the same purpose.

Which was read and passed.

On motion of Mr. Pierpoint,

Ordered, that the committee be appointed by the chair.

The president thereupon appointed, as such committee, Mr. Waterman and Mr. Briggs.

Mr. Watson presented the petition of Sheldon Edgerton, which was referred to the committee on finance.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act to provide for reporting the decisions of the supreme court," reported the same without amendment.

The bill was read the second time, and

On motion of Mr. Bell,

Ordered, that it be laid on the table.

A message from the House of Representatives by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives have passed a bill entitled "an act altering the name of Almira Lull," in which they ask the concurrence of the Senate. They have also concurred with the Senate in the amendment proposed to the resolution for a joint assembly, for the election of a senator.

Mr. Merrill introduced a bill entitled "an act in favor of John H. Olin,"

Which was read the first and second time and referred to the committee on finance.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill entitled "an act relating to jail bonds," reported that the same ought not to pass.

On motion, ordered that said bill be laid on the table.

Mr. Hubbell from the same committee, to whom was referred the bill entitled "an act in relation to highways," reported the same with amendments, which were read ; and the amendments were considered as in committee of the whole ; and the amendments having been agreed to, the bill was reported to the Senate, and the amendments were concurred in.

Ordered, that the bill be engrossed and read the third time to-morrow morning.

Mr. Howe, from the committee on claims, to whom was referred the bill entitled "an act directing the treasurer to pay Luther S. Burnham the sum therein named," made report that the blank be filled with the words "sixty-six dollars and eighty-three cents," and that when so filled the bill ought to pass.

Which report was read, the amendment adopted and the bill ordered to be engrossed and read a third time.

The Senate adjourned.

AFTERNOON.

A bill from the House of Representatives, entitled "an act altering the name of Almira Lull" was read the first and second time and referred to the committee on the bill entitled "an act to alter the name of Pat Handly."

Mr. Pierpoint, from the committee of claims, to whom was referred the bill entitled "an act directing the treasurer to pay Silas H. Jenison the sum therein mentioned,"—reported said bill with an amendment which was adopted.

Ordered that said bill be engrossed and read a third time.

Mr. Hubbell, introduced a bill entitled "an act concerning county court writs."

Which was read the first and second time and referred to the committee on the judiciary.

A bill from the House of Representatives entitled "an act to alter the name of Anderson Burt" was referred to the committee on the bill entitled "an act to alter the name of Pat Handly."

Mr. Bell introduced the following resolution:

Resolved, that the judiciary committee be instructed to inquire into the expediency of either repealing the law passed Oct. 27, 1831, giving the constables authority to serve writs or process in any town within the county, or of so modifying the same that said constables shall serve such processes only as are returnable within the towns of which they are constables.

Which was read and passed.

Mr. Converse called up the bill entitled "an act to incorporate the Rutland Rail Road Bank."

Mr. Smilie moved to amend the bill by adding thereto the following:

"Sec. 28. It is hereby further enacted, that the corporation shall not issue any bank bill or note of a less denomination than five dollars.

On motion of Mr. Merrill,

Ordered, that the bill and amendment be laid on the table and made the order of the day for Tuesday morning next.

The engrossed bill entitled "an act directing the treasurer to pay Luther S. Burnham the sum therein mentioned," and

The engrossed bill entitled "an act directing the treasurer to pay Silas H. Jenison the sum therein mentioned,"

Were severally read the third time and passed.

Mr Hebard called up the bill entitled "an act relating to jail bonds," And on the question, "shall the bill be engrossed and read the third time," the yeas and nays were demanded by Mr. Briggs and were as follows:

Those who voted in the affirmative are
Messrs. Miller, Palmer, Pierpoint, Van Sicklin, Waterman, Watson and Young—7.

Those who voted in the negative are
Messrs. Barnes, Bell, Briggs, Converse, Gates, Grandy, Hammond, Hebard, Henry, Howe, Hubbell, Keyes, Kinsman, Merrill, Phelps, Porter, Ranney, Sheldon, Smilie, Steele, Tenney and White—22.

It was determined in the negative, and the bill rejected.

Mr. Bell called up the bill entitled "an act relating to jailer's fees," and it was read the third time and passed.

Mr. Henry introduced a bill entitled "an act providing a field piece for a company in Rockingham,"

Which was read the first and second time, and referred to the committee on military affairs.

The Senate adjourned.

SATURDAY, OCTOBER 22, 1836.

Mr. Merrill introduced the following resolution:

Resolved, that the judiciary committee be instructed to inquire into the policy and expediency of a general statutory regulation in relation to banking and manufacturing corporations, with a view of effectually securing the public against failures, frauds, losses and other injurious course of practices and effects, which may result from the grant of such privileges: therein providing for a course of future general legislation, if any shall be necessary upon these subjects, and more effectually guarding the public against the expense and dangers of a course of private or partial legislation, in the particular matters herein contemplated and expressed, and report by bill or otherwise.

Which was read and passed.

Mr. Pierpoint, from the committee on claims, to whom was referred the bill entitled "an act directing the treasurer to pay Abner Harris," &c. reported that the blank in said bill ought to be filled with the words "one hundred and three dollars and twelve cents."

Which report was adopted and the blank in said bill was filled accordingly.

On motion of Mr. Pierpoint,

Ordered, that the bill be laid on the table.

Mr. Waterman introduced the following resolution:

Resolved, that a special committee of three be appointed and instructed to inquire into the expediency of so modifying the appointment of justices of the peace, in the several towns, in this state, that there be no more than ten, in any one town; and where the population of any one town does not exceed two thousand, there shall be no more than six; and where the population does not exceed one thousand five hundred, there shall be more than five; and where the population does not ex-

ceed one thousand, there shall be no more than four justices of the peace appointed in such town.

Which was read and passed.

On motion of Mr. Pierpoint,

Ordered, that the committee, raised by said resolution, be appointed by the chair.

Whereupon the President appointed, as such committee, Mr. Waterman, Mr. Ranney and Mr. Miller.

Mr. Hammond, from the committee on finance, to whom was referred the bill entitled "an act in favor of John H. Olin," reported the same, without amendment, and it was ordered to be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a resolution, passed on the 21st inst. relative to the jurisdiction of constables, reported that the repeal or modification of the law mentioned in said resolution is inexpedient.

Mr. Young introduced a bill entitled "an act directing the Secretary of State to deliver sets of the Vermont reports to the county clerks of the several counties in this state."

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Pierpoint called up the bill entitled "an act to provide for reporting the decisions of the supreme court," and on his motion it was recommended to the committee on the judiciary.

A message from the house, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed a bill entitled "an act organizing the county of Lamoille, fixing the time for holding the courts therein, establishing a probate district therein, and for various other purposes appertaining to the more full organization of said county"—they have also passed the following joint resolutions, viz: a resolution relating to the pay of the returned member from Berlin, a resolution for a joint assembly to elect a major general of the first division and brigadier general of the second brigade in the second division of the militia; and a resolution instructing the State's attorney of Rutland county, to institute a scire facias against the Green Mountain Turnpike Company.

The following resolution, from the House of Representatives, was taken up, viz:

Resolved, the Senate concurring herein, that both houses meet in joint assembly in the representatives hall on Tuesday next at ten o'clock A. M. for the purpose of electing a major general of the first division of the militia of this state, and also a brigadier general of the second brigade and second division.

Which was read and ordered to be laid on the table, on motion of Mr. Hebard.

The following resolution from the House of Representatives was taken up, viz:

Resolved, the Senate concurring herein, that the State's attorney for the county of Rutland be and he hereby is directed, forthwith to commence a writ of scire facias against the Green Mountain Turnpike

Company, agreeably to the laws of this State, requiring said Company to shew cause why its grant or charter should not be vacated.

Which was read, and on motion of Mr. Hebard, referred to the committee on roads and canals.

The following resolution from the House of Representatives was taken up:

Resolved, the Senate concurring herein, that the clerk of this house be instructed to make and deliver to James Currier the returned member from Berlin whose seat is vacated, a certificate of his travel and attendance and that the treasurer be directed to pay the same—which was read and

Resolved not to concur with the house in passing the same.

A bill from the House of Representatives entitled "an act organizing the county of Lamoille," &c. was read the first and second time and referred to the committee on the judiciary.

The following communication was received from the Governor.

EXECUTIVE CHAMBER,
Montpelier, Oct. 22, 1836. }

TO THE SENATE :

In compliance with the resolution of the Senate of the 15th inst. requesting a copy of the annual return of the adjutant and inspector general for the year 1835 : I have to inform the Senate that I addressed the adjutant and inspector general enclosing a copy of your resolution and received a communication from that officer which is herewith transmitted.
S. H. JENISON.

The document accompanying the Governor's message is as follows :
HIS EXCELLENCY, S. H. JENISON :

SIR : The imperfect state of the very few returns that have come into office for the year past and before that time, together with the fact that no records or papers of any description were ever received from my predecessor, prevent my giving the information desired by the resolution of the Senate of the 15th instant, a copy of which I had the honor of receiving from you.

I have the honor to be, Sir,
very respectfully, your ob't. serv't.
M. FLINT adj. and insp. General.

Which communications were read.

An engrossed bill entitled "an act in relation to highways," was read the third time and passed.

Mr. Young from the committee on roads and canals to whom was referred a resolution on the 19th inst. relative to altering the law for making and repairing highways, reported that it is inexpedient to alter the law as proposed in said resolution.

The Senate adjourned.

AFTERNOON.

Mr. Sheldon introduced the following resolution :

Resolved, that the judiciary committee be instructed to inquire into

the expediency of repealing all laws in relation to usury, and report by bill or otherwise.

Which was read and passed.

Mr. Henry introduced a bill entitled "an act incorporating William's River Manufacturing Company,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Howe introduced a bill entitled "an act directing the treasurer to pay Amos Thompson the sum therein mentioned,"

Which was read the first and second time and referred to the committee on claims.

Mr. Watson introduced the following resolution :

Resolved, that the committee on the judiciary be directed to inquire into the expediency of making proper provision by law, to prevent depredation on undivided timber or wood lands, and that they report by bill or otherwise.

Which was read and passed.

Mr. Porter introduced a bill entitled "an act in relation to notes and bills of exchange."

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill entitled "an act concerning county court writs," reported the same without amendment; and it was considered as in committee of the whole; and no amendment having been proposed, it was reported to the Senate and

Ordered, that it be engrossed and read a third time.

The engrossed bill entitled "an act in favor of John H. Olin," was read the third time and passed.

The resolution from the House of Representatives for a joint assembly for the election of a major general and a brigadier general, this morning ordered to be laid on the table, was called up and

Resolved to concur therein.

The Senate adjourned.

MONDAY, OCTOBER 24, 1836.

Mr. Sheldon introduced a bill entitled "an act incorporating certain towns therein named, by the name of the Franklin county Asylum for the poor,"

Which was read the first and second time and referred to the members of the Senate from Franklin county.

A message from the house, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act, altering the name of Mary Eliza Royce."

"An act, to pay Heman Carpenter the sum therein mentioned."

"An act, to preserve fish in Hinesburgh pond."

"An act, in addition to "an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

"An act, in addition to an act entitled "an act supplementary to the several acts, defining the powers of justices of the peace within this state."

Mr. Beckwith introduced a bill entitled "an act repealing an act to preserve fish in Willoughby lake,"

Which was read the first and second time, and, on motion of Mr. Briggs, referred to the committee on finance.

Mr. Beckwith introduced a bill entitled "an act to repeal part of an act for the relief of town of Newark,"

Which was read the first and second time and referred to the committee on roads and canals.

Mr. Hubbell, from the committee on the judiciary, to whom was referred the bill entitled "an act organizing the county of Lamoille," &c. reported the same without amendment.

Which bill was taken up and considered as in committee of the whole, and no amendments thereto having been offered, it was reported to the Senate; read the third time and passed.

Mr. Tenney introduced the following resolution :

Resolved, that a select committee of three be appointed to inquire into the expediency of prohibiting by law, the distillation of grain, and report by bill or otherwise.

Which was read and passed.

On motion of Mr. Pierpoint,

Ordered that said committee be appointed by the chair.

And thereupon the president appointed as such committee, Mr. Tenney, Mr. Steele and Mr. Grandy.

Mr. Smilie introduced a bill entitled "an act to prohibit the circulation of foreign small bills,"

Which was read the first and second time and referred to the committee on banks.

Mr. Briggs, from the committee on the judiciary, to whom was referred a resolution passed on the 22d inst. on the subject of usury, reported a bill entitled "an act relating to interest," which was read the first time.

Ordered, that it be laid on the table.

The following bills from the House of Representatives, were severally taken up, read the first and second time and referred, viz :

The bill entitled "an act in addition to an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," and

The bill entitled "an act in addition to an act entitled an act supplementary to the several acts defining the powers of justices of the peace within this state,"

Were referred to the committee on the judiciary.

The bill entitled "an act altering the name of Mary Eliza Royce," was referred to the committee on the bill entitled "an act to alter the name of Pat Handly."

The bill entitled "an act to preserve fish in Hinesburgh pond," was referred to the committee on finance.

The bill entitled "an act to pay Heman Carpenter the sum therein mentioned," was referred to the committee on claims.

The resolution introduced on the 21st inst, relative to slavery in the District of Columbia was taken up.

On motion of Mr. Pierpoint,

Ordered, that it be laid on the table and made the order for Friday morning next.

The Senate adjourned.

AFTERNOON.

Mr. Van Sicklin presented the memorial of the corporation of the University of Vermont,

Which was read and referred to the committee on education.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act, in addition to an act entitled "an act constituting probate courts, and defining their powers, and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons, passed November 15, 1821."

"An act, for the relief of Ebenezer Speneer and Simon Blanchard, Jr."

"An act, directing the Treasurer to credit the town of Vernon the sum therein mentioned."

"An act, to alter the name of Sarah Trickey."

"An act, to incorporate the Brattleboro' Typographic company."

"An act, providing for returning the votes for senators to the county clerks."

They have also passed a resolution for the appointment of a committee to examine and report the account of the superintendent of the state house, in which they ask the concurrence of the Senate.

Mr. Hubbell, from the committee on bills, reported that they have, this day, delivered to the governor, for his approbation, a bill entitled "an act organizing the county of Lamoille," &c., and a bill entitled "an act in addition to an act incorporating the inhabitants of the centre village in Springfield for the purposes therein mentioned."

Mr. Merrill from the committee to whom was referred a bill entitled "an act in amendment of an act directing the mode of Election of governor," &c. reported said bill with amendments, which were read : and the bill was read the second time.

On motion of Mr. Pierpoint,

Ordered, that the bill and amendments be laid on the table.

Mr. Phelps introduced the following resolution :

Resolved, that the committee on military affairs be instructed to inquire into the evils existing in the present militia system, and to ascertain what alteration is required in the present militia law, and report by bill or otherwise.

Which was read and passed.

Mr. Hebard introduced a bill entitled "an act to incorporate the Far-

mer's manufacturing company," which was read the first and second time and referred to the committee on manufactures.

The engrossed bill entitled "an act concerning county court writs," was read the third time and passed.

Bills of the following titles from the House of Representatives were severally taken up, read the first and second time and referred as follows:

The bill entitled "an act providing a compensation for returning the votes for senators to the county clerks," was referred to the committee on the judiciary.

The bill entitled "an act incorporating the Brattleboro' Typographic Company," was referred to the committee on manufactures.

The bill entitled "an act to alter the name of Sarah Trickey," was referred to the committee on the bill entitled "an act to alter the name of Pat Handy."

The bill entitled "an act to direct the treasurer to credit the town of Vernon," was referred to the committee on finance.

The bill entitled "an act for the relief of Ebenezer Spencer and Simon Blanchard jr." was also referred to the committee on finance.

The bill entitled "an act in addition to an act, constituting probate courts," &c. was referred to the committee on the judiciary.

The report of John S. Pettibone, Esq. the committee appointed to inspect the concerns of the banks in this state, was referred to the committee on banks.

The Senate adjourned.

TUESDAY, OCTOBER 25, 1836.

The following resolution from the House of Representatives was taken up:

"Resolved, the Senate concurring herein, that Hon. Samuel C. Crafts and Jonas Clark, be authorised and appointed to examine the accounts of Hon. Lebbeus Edgerton, as superintendent for building the State house, and report to this house the items of his account and the sum claimed by him, and their opinion of what portion of the same ought to be allowed."

Which was read, and on motion of Mr. Steele,

Resolved, to concur with the house in passing said resolution with the following amendment in the second line; strike out the word *and*, and after the words *Jonas Clark* insert the words *and Thomas Reed, jr.*

Mr. Bell presented the memorial of Zacheus Bass and others against licenses for the sale of ardent spirits, which was read and referred to a committee of three to be appointed by the chair:

Whereupon the President appointed, as such committee, Mr. Bell, Mr. Young and Mr. Ranney.

Mr. Merrill introduced a bill entitled "an act to incorporate the Bennington manufacturing and printing company."

Which was read the first and second time, and referred to the committee on manufactures.

Mr. Hebard introduced a bill entitled "an act in relation to trials by jury."

Which was read the first and second time, and referred to the committee on the judiciary.

Mr. Hubbell, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act, constituting the supreme court," &c. reported the same without amendment, and it was considered by the Senate as in committee of the whole, and no amendment having been offered, it was reported to the Senate.

On motion of Mr. Briggs,

Ordered that said bill be laid on the table.

Mr. Merrill, from the committee to whom was referred the bill entitled "an act in addition to an act entitled an act directing the mode of election of Governor," &c. to whom was also referred a resolution passed on the 15th instant, relative to the mode of election of senators &c. and to whom was likewise referred the report of the committee of elections submitted on the 21st instant, reported that no legislative action is necessary upon said bill and resolutions.

The said bill was taken up and

On motion of Mr. Ranney,

Ordered that said bill be laid on the table.

Mr. Kinsman introduced a bill entitled "an act to repeal an act therein mentioned,"

Which was read the first and second time, and referred to the committee on military affairs.

On motion of Mr. Smilie, leave of absence from the service of the Senate was granted to him for one week, from this day.

Mr. Converse presented the memorial of the inhabitants of Bethel against the petition of the Centre Turnpike Company,

Which was referred to the committee on roads and canals.

Mr. Pierpoint, from the committee on claims, to whom was referred the bill entitled "an act directing the treasures to pay Amos Thompson the sum therein mentioned," reported that said bill ought to be amended by filling the blank with the words "one hundred forty-four dollars and five cents."

Which was adopted and the bill amended accordingly.

Ordered that it be engrossed and read the third time.

A message from the House of Representatives by Mr. Dewey, a member:

Mr. President: The House of Representatives are now ready to proceed to ballot for a senator to represent this state, in the Congress of the United States, in pursuance of the concurrent resolution of both houses.

Ordered that a message be sent to the House of Representatives informing them that the Senate are now ready to proceed, on their part, to the election of a senator in Congress.

Pursuant to a concurrent resolution of both houses, the Senate proceeded to ballot for a senator to represent this state in the Congress of the United States, for the term of six years, commencing on the fourth day of March next.

The ballots having been taken and examined,

SAMUEL PRENTISS

had a majority of all the votes, and on the part of the Senate was duly elected senator in Congress as aforesaid.

A message from the House of Representatives, by Mr. Foot, a member:

Mr. PRESIDENT: The House of Representatives have on their part elected a Senator to represent this state in the Congress of the United States, and are ready to meet the Senate in joint assembly, to compare the proceedings of the two houses.

On motion,

Ordered that the Secretary inform the House of Representatives that the Senate have, on their part, elected a senator to represent this state in the Congress of the United States and will immediately attend in the hall of the House of Representatives to compare the proceedings of the two houses and complete the election.

Mr. Pierpoint called up the bill entitled "an act to incorporate the Rutland Rail Road Bank."

On motion of Mr. Hebard the bill was amended by striking out the twenty-seventh section thereof.

On motion,

The Senate adjourned.

AFTERNOON.

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act to incorporate the William's river manufacturing company," reported the same without amendment.

Ordered, that the bill be engrossed and read the third time.

Mr. Henry, from the same committee, to whom was referred the bill entitled "an act incorporating the Black River Card Company," reported the same without amendment.

Ordered, that it be engrossed and read a third time.

Mr. Howe presented the petition of the Rutland county grammar school.

Which was referred to the committee on education.

On motion of Mr. Steele, the committee on finance was discharged from the further consideration of the petition of Sheldon Edgerton and others, and it was referred to the committee on education.

Mr. White, from the committee on banks, to whom was referred the bill entitled "an act to prohibit the circulation of foreign small bills," reported that said bill ought not to pass.

On motion,

Ordered, that said bill be indefinitely postponed.

Mr. Converse, from the committee on claims, to whom was referred the bill from the House of Representatives entitled "an act to pay Herman Carpenter the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Hammond, from the committee on finance, to whom was referred the bill entitled "an act repealing an act to preserve fish in Willoughby lake," reported the same without amendment.

On motion of Mr. Palmer,

Ordered, that said bill be laid on the table.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act entitled an act supplementary to the several acts defining the powers of justices of the peace within this state," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the same committee, to whom was recommitted the bill entitled "an act to provide for reporting the decisions of the supreme court," reported the same without amendment, and it was ordered to be engrossed and read the third time.

Mr. Briggs, from the same committee, to whom was referred the bill entitled "an act directing the secretary of state to deliver sets of the Vermont reports to the several county clerks," reported that the same ought not to pass.

On motion,

Ordered, that it be indefinitely postponed.

Mr. Briggs, from the committee on the judiciary, to whom was referred the resolution of the 17th inst. relating to the decision of questions in the supreme court, reported that the subject of the resolution is embraced in a bill already before the Senate.

On motion of Mr. Briggs, the committee on the judiciary was discharged from the consideration of the resolution, passed on the 22d inst. relating to the regulation of banking and manufacturing corporations, &c.

Mr. Van Sicklin, from the committee on finance, to whom was referred the bill from the House of Representatives, entitled "an act to preserve the fish in Hinesburgh pond," reported that the same ought not to pass.

On motion of Mr. Pierpoint,

Ordered, that it be indefinitely postponed.

Mr. Waterman, from the committee on manufactures, to whom was referred the bill from the House of Representatives entitled "an act to incorporate the Brattleboro' Typographical Company," reported the same without amendment, and it was read the third time and passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House concur with the Senate in the amendment proposed to the resolution appointing a committee to settle with the superintendent for building the State house.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act providing a compensation for returning votes for senators to the county clerks," reported the same without amendment, and it was read the third time and passed.

Mr. Ranney, from the committee to whom was referred the resolution passed on the 22d inst. limiting the number of justices of the peace, reported a bill entitled "an act limiting the number of justices of peace, in the several towns in this state,"

Which was read the first and second time and ordered to be engrossed and read the third time. And the said bill having been engrossed,

On motion of Mr. Ranney,
Ordered, that the rules be suspended and that said bill be read a third time at this time.

On motion of Mr. Briggs, ordered that said bill be laid upon the table.

Mr. Pierpoint called up the bill entitled "an act to incorporate the Rutland Rail Road Bank," and the amendment proposed by Mr. Smilie, on the 21st instant, as stated on the journal of that day, was considered, and on the question, Shall the amendment be adopted? the yeas and nays having been demanded by Mr. Merrill, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Barnes, Kinsman, Merrill, Waterman—4.

Those who voted in the negative are
Messrs. Bell, Briggs, Converse, Gates, Grandy, Hammond, Hebard, Henry, Howe, Hubbell, Keyes, Miller, Palmer, Pierpoint, Phelps, Porter, Ranney, Sheldon, Smilie, Steele, Tenney, Van Sicklin, White and Young—24.

So it was decided in the negative, and the amendment was rejected.

On motion of Mr. Bell,

Ordered that the bill be laid on the table and made the order for tomorrow morning.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act in amendment of an act directing the mode of election of governor," &c. The amendments reported by the committee were amended; and the bill reported to the Senate; the amendments adopted, and on motion,

Ordered, that the bill be laid on the table.

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act to incorporate the Tunbridge manufacturing company," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

Mr. Henry, from the same committee, reported the bill referred to said committee entitled "an act incorporating the Green Mountain Iron Company," with an amendment, which was adopted, and the bill read the second time.

Ordered, that it be engrossed and read the third time.

Mr. Hebard introduced a bill entitled "an act to prohibit intemperance,"

Which was read the first and second time and

On motion of Mr. Hebard,

Ordered, that the bill be referred to the committee on the memorial of Zacheus Bass and others.

Mr. White introduced a bill entitled "an act relating to highways," which was read the first and second time and referred to the committee on roads and canals.

The Senate adjourned.

WEDNESDAY, OCTOBER 26, 1836.

The president communicated the following report from the quarter master general :

QUARTER MASTER'S DEPARTMENT, }
Montpelier, Oct. 25, 1836. }

HON. D. M. CAMP, PRESIDENT OF THE SENATE :

SIR,—In compliance with the laws of this state, the quarter master general has the honor, respectfully, to report :—That since the last annual report from this department, there has been received and receipted an invoice of arms and appendages turned over by Capt. Allen Lowd of the United States army to this state of 2502 muskets; 2502 wipers; 2502 spare flint caps; 250 ball screws; 250 spring vices; 126 packing boxes; the whole equivalent to 2550 2-13 muskets. These arms are in good order and of a superior quality.

And I am not aware that I could otherwise report the small arms on hand, at the receipt of the last quota and the wants of this department, than by a reference to a somewhat detailed report, which is upon the journals of the house, dated Oct. 18, 1834.

In order to carry into effect the act of Nov. 10, 1835, in favor of the Londonderry artillery company, a gun has been furnished from this department and an expense has been incurred in mounting the same, of \$162 69, which remains to be provided for, as no funds have been placed within the control of this department for that object.

I have the honor to be, sir,

Your obedient servant,

SAMUEL H. HOLLEY.

Mr. Bell presented the petition of Uriah Edgerton and others,
 Which was referred to the committee on roads and canals.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill entitled "an act in relation to notes and bills of exchange," reported the bill with amendments, and it was considered by the Senate, as in committee of the whole, and the amendments adopted, and the bill reported to the Senate and the amendments concurred in.

On motion of Mr. Pierpoint,

Ordered, that the bill be laid on the table.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives, entitled "an act in addition to an act, entitled an act constituting probate courts," &c. reported the same with amendments.

The bill was considered as in committee of the whole, and the amendments adopted and the bill reported to the Senate; and pending the question of concurrence in the amendments,

On motion of Mr. Pierpoint,

Ordered, that the bill be laid on the table.

The engrossed bill entitled "an act limiting the number of justices of the peace in the several towns in this state," was taken up.

Mr. Beckwith moved that the bill be indefinitely postponed; and on the question "Shall this bill be indefinitely postponed," the yeas and nays were taken and were as follows :

Those who voted in the affirmative are

Messrs. Barnes, Beckwith, Converse, Hammond, Hubbell, Keyes, Kinsman, Palmer, Phelps, Sheldon, Steele, Tenney, Young—13.

Those who voted in the negative are
Messrs. Bell, Briggs, Gates, Grandy, Hebard, Howe, Merrill, Miller,
Pierpoint, Porter, Ranney, Van Sicklin, Waterman, Watson, White—
15.

So it was decided in the negative.

Mr. Sheldon moved that the bill be laid on the table : and the ques-
tion being put,

It was decided in the negative.

Mr. Pierpoint moved that the bill be committed to the committee on
the judiciary.

And the question being put, was decided in the negative.

On motion of Mr. Ranney,

Ordered, that the bill be committed to a member for amendment.

And thereupon the bill was, for that purpose, committed to Mr. Ran-
ney.

The engrossed bill entitled "an act directing the treasurer to pay
Amos Thompson the sum therein mentioned," was read the third time
and passed.

The Senate resumed the consideration of the bill entitled "an act to
incorporate the Rutland Rail Road Bank," and

Ordered, that it be engrossed and read the third time.

The bill entitled "an act in addition to an act directing the mode of
election of governor," &c. was taken up and on motion,

Ordered, that it be recommitted to the committee who reported the
bill.

The Senate adjourned.

AFTERNOON.

Mr. Steele, from the committee on finance, to whom was referred the
bill from the House of Representatives, entitled "an act directing the
treasurer to credit the town of Vernon the sum therein mentioned," re-
ported the bill without amendment.

On motion of Mr. White,

Ordered, that it be laid on the table.

Mr. Merrill presented the petition of Asa H. Whipple and others,
and the petition of Benjamin F. Olin and others ; which were, several-
ly, referred to the committee on roads and canals.

Mr. Briggs, from the committee on the judiciary, to whom was refer-
red the bill entitled "an act in relation to trials by jury," reported that
the bill ought not to pass.

Mr. Pierpoint moved that said bill be indefinitely postponed ; and on
this question the yeas and nays were taken, and were as follows :

Those who voted in the affirmative are

Messrs. Beckwith, Briggs, Converse, Gates, Grandy, Hammond, Hen-
ry, Howe, Hubbell, Keyes, Merrill, Miller, Pierpoint, Phelps, Porter,
Steele, Watson, White, Young—19.

Those who voted in the negative are

Messrs. Barnes, Bell, Hebard, Kinsman, Palmer, Sheldon, Tenney,
Van Sicklin, Waterman—9.

So it was determined in the affirmative, and the bill accordingly postponed indefinitely.

Mr. Merrill, from the committee, to whom was referred a bill entitled "an act in addition to an act directing the mode of election of governor," &c. reported the bill with amendments.

The said bill and amendments were considered by the Senate as in committee of the whole, the amendments were amended; and the bill reported to the Senate and the amendments were concurred in; and the bill ordered to be laid on the table.

Mr. Converse, from the joint committee on bills, reported that said committee have this day delivered to the Governor for his approbation the following bills:

"An act, directing the treasurer to pay Silas H. Jenison the sum therein mentioned."

"An act, providing a compensation for returning the votes for senators to the county clerks."

"An act, in addition to an act entitled an act supplementary to the several acts defining the powers of justices of the peace within this state."

"An act, to pay Heman Carpenter the sum therein mentioned."

"An act, to incorporate the Brattleborough Typographic company."

On motion of Mr. Briggs, the Senate resumed the consideration of the bill entitled "an act relating to interest," and it was read the second time and laid on the table.

Engrossed bills of the following titles were severally read the third time and passed:

"An act to incorporate the Williams river manufacturing company."

"An act incorporating the Black river Card company."

"An act to incorporate the Tunbridge manufacturing company."

"An act incorporating the Green Mountain Iron Company," and

"An act to provide for reporting the decisions of the supreme court."

The engrossed bill entitled "an act to incorporate the Rutland Rail Road Bank," was read the third time and on the question, "Shall the bill pass?" the yeas and nays were taken, and were as follows:

Those who voted in the affirmative, are

Messrs. Bell, Briggs, Converse, Grandy, Hammond, Howe, Hubbell, Keyes, Miller, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, White and Young—17.

Those who voted in the negative, are

Messrs. Barnes, Gates, Henry, Kinsman, Merrill, Palmer, Tenney, Waterman and Watson—9.

So the bill passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

Mr. President: The House of Representatives have passed a resolution for the meeting of both houses in county conventions, in which they ask the concurrence of the Senate.

The said resolution was read, as follows:

Resolved, the Senate concurring herein, that the members of both houses meet, in county conventions, on Thursday next at three o'clock in the afternoon, for the purpose of making nominations for county offi-

cers, and that both houses meet in joint assembly in the representatives hall on Friday next, at ten o'clock in the forenoon, for the purpose of electing such officers.

Which being read,

Resolved to concur in passing the same.

Mr. Watson introduced a bill entitled "an act in favor of John S. Pettibone and Isaac Fletcher,"

Which was read the first and second time and referred to the committee on claims.

The Senate adjourned.

THURSDAY, OCTOBER 27, 1836.

Mr. Ranney introduced the following resolution :

Resolved, the House of Representatives concurring herein, that the justices of the peace to be appointed in the several towns in this state shall, in no instance, exceed the number of twelve in any one town.

Which was read and passed.

Mr. Bell introduced a bill entitled "an act to prevent circus riding."

Mr. Howe objected to receiving the bill, on the ground that it is a revenue bill.

The President decided that the bill is a revenue bill, and therefore cannot be originated in the Senate.

Mr. Bell appealed from the decision of the chair.

On motion of Mr. Howe,

Ordered, that the appeal be laid on the table.

Mr. Van Sicklin, from the committee on finance, to whom was referred the bill from the House of Representatives, entitled "an act for the relief of Ebenezer Spencer and Simon Blanchard jr." reported the same without amendment, and the bill was read the third time and passed.

Mr. Van Sicklin introduced a bill entitled "an act in relation to common schools," which was read the first and second time and referred to the committee on education.

Mr. Howe introduced the following resolution :

Resolved, that the committee on manufactures be instructed to inquire into the expediency of encouraging the manufacture of silk goods within this state, and to report by bill or otherwise.

Which was read and passed.

Mr. Ranney to whom was committed the bill entitled "an act limiting the number of justices of the peace in the several towns in this state," reported that said bill ought to be amended by striking out the enacting clause thereof.

Which report was concurred in and the bill amended accordingly.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The house do not concur with the Senate in passing the bill entitled "an act in relation to highways."

Mr. Howe introduced a bill entitled "an act to prevent intemperance,"

Which was read the first and second time, and referred to the committee on the memorial of Zacheus Bass and others.

Mr. Briggs called up the bill from the House of Representatives entitled "an act in addition to an act, constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

And the question, being put, "Shall the bill pass?" was decided in the negative.

Mr. Briggs called up the bill from the House of Representatives entitled "an act in addition to an act entitled an act constituting probate courts, &c."

The amendment proposed by the committee of the whole was taken up and amended and agreed to as follows:

Add to the bill the following:

Sec. 2. It is hereby further enacted, that personal property not exceeding the amount of two hundred dollars, may be bequeathed by nuncupative will. Provided, said will be presented for probate within six months after the death of the testator. Provided also that any soldier in actual service, or any mariner, or seaman, being at sea, may dispose of personal estate, as he might have done before the passing of this act.

The bill, as amended, was read the third time and passed.

The Senate adjourned.

AFTERNOON.

On motion of Mr. Steele,

Ordered, that the bill from the House of Representatives, entitled "an act directing the treasurer to credit the town of Vernon the sum therein mentioned," be recommitted to the committee on finance.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred with the Senate in passing the resolution relating to the number of justices of the peace in the several towns in this state.

Mr. Howe presented the memorial of Enos Merrill and others, which was referred to the committee on the memorial of Zacheus Bass and others.

On motion of Mr. Porter, the vote taken yesterday, agreeing to the amendment reported by the committee of the whole to the bill entitled "an act in relation to notes and bills of exchange," was reconsidered, and the question, will the Senate agree to the amendments to said bill reported by the committee of the whole, was put,

And it was decided in the negative.

On motion of Mr. Henry,

Ordered that said bill be laid on the table.

The Senate adjourned.

FRIDAY, OCTOBER 28, 1836.

Mr. Pierpoint introduced a bill entitled "an act providing for printing the journal of the Senate,"

Which was read the first and second time, and on his motion,
Ordered to be laid on the table.

Mr. Kinsman introduced a bill, entitled "an act to incorporate the Barre manufacturing company,"

Which was read the first and second time, and referred to the committee on manufactures.

Mr. Ranney introduced a bill entitled "an act to incorporate the West Townshend Woolen manufacturing company,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Watson presented the petition of Nahum Peck and others, praying an appropriation for the benefit of the manual labor institution in West Poultney,

Which was referred to the committee on education.

Mr. Converse introduced the following resolution :

Resolved, that the judiciary committee be instructed to inquire into the expediency of making provision for revising the statute laws of this state, and report by bill or otherwise.

Which was read and passed.

Mr. Tenney presented the petition of the trustees of the Newbury Seminary for an appropriation, in aid of their Seminary,

Which was referred to the committee on education.

Mr. Howe called up the appeal taken yesterday from the decision of the chair, in ruling that the bill entitled "an act to prevent circus riding" (contemplating that a sum is, by the existing law, to be paid for a licence,) is a revenue bill and cannot be originated in the Senate.

The question being put "Shall the opinion of the chair stand as the judgment of the Senate?" was decided by yeas and nays as follows :

Those who voted in the affirmative, are

Messrs. Beckwith, Briggs, Converse, Gates, Grandy, Hammond, Henry, Howe, Hubbell, Kinsman, Miller, Palmer, Pierpoint, Phelps, Ranney, Sheldon, Steele, Tenney, Van Sicklin, Waterman, Watson and Young—22.

Those who voted in the negative, are

Messrs. Barnes, Bell, Merrill and White—4.

So it was decided in the affirmative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have reconsidered the vote taken yesterday, on the passage of a resolution relating to limiting the number of justices of the peace in this state, and have non-concurred in passing the same.

The Senate, in pursuance of a concurrent resolution of both houses, went into joint assembly with the House of Representatives for the appointment of county officers.

On the return of the Senate,

Mr. Pierpoint introduced the following resolution :

Resolved, by the Senate and House of Representatives, that the concurrent resolution of both houses in the words following: "Resolved, the House of Representatives concurring herein, that the justices of the peace to be appointed in the several towns in this state, shall in no instance exceed the number of twelve in any one town," adopted on the 27th instant, be and the same is hereby rescinded.

Which was read and the question "Shall the resolution pass?" was decided by yeas and nays, as follows:

Those who voted in the affirmative, are

Messrs. Barnes, Beckwith, Bell, Briggs, Gates, Grandy, Hammond, Hebard, Henry, Howe, Keyes, Kinsman, Merrill, Miller, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, Tenney, Waterman, Watson, White, Young—25.

Those who voted in the negative, are

Messrs. Converse and Van Sicklin—2.

So the resolution passed.

The Senate adjourned.

AFTERNOON.

Mr. Bell, from the committee on education, to whom was referred a resolution passed on the nineteenth instant in relation to a more accurate system of surveying, &c. reported a bill entitled "an act directing the appointment of a surveyor general and county surveyors, and regulating their office and duty."

Which was read the first and second time, and

On motion of Mr. Pierpoint,

Ordered that it be laid on the table.

Mr. Pierpoint introduced a bill entitled "an act relating to contested elections,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Hubbell presented the petition of N. W. Kingman and others, Which was referred to the committee on finance.

Mr. Pierpoint called up the bill entitled "an act providing for printing the journal of the Senate," and it was considered by the Senate as in committee of the whole, and no amendment having been offered, it was reported to the Senate.

Ordered that it be engrossed and read the third time.

Mr. Hubbell called up the bill entitled "an act relating to interest."

On motion of Mr. Briggs,

Ordered that it be committed to the committee on the judiciary.

The Senate, agreeably to order, took up the resolution introduced on the 21st inst. relative to instructing members of Congress on the subject of slavery in the district of Columbia.

Mr. Porter moved that the resolution be indefinitely postponed and on this question the yeas and nays were demanded by Mr. Grandy and were as follows:

Those who voted in the affirmative, are

Messrs. Barnes, Beckwith, Briggs, Converse, Hammond, Howe, Keyes, Kinsman, Merrill, Phelps, Porter, Steele, Waterman—13.

Those who voted in the negative, are

Messrs. Bell, Gates, Grandy, Henry, Hubbell, Miller, Palmer, Pierpoint, Ranney, Sheldon, Tenney, Van Sicklin, Watson, White, Young—15.

So it was decided in the negative.

On motion of Mr. Palmer,

Ordered that the resolution be laid on the table.

Mr. Henry presented the memorial of the officers and non-commissioned officers of the third regiment in the first brigade and first division of the militia,

Which was read and referred to the committee on military affairs.

The Senate adjourned.

SATURDAY, OCTOBER 29, 1836.

Mr. Sheldon, from the committee, to whom was referred the bill entitled "an act incorporating certain towns therein named, by the name of the Franklin county asylum for the poor," reported the bill without amendment.

Ordered that it be engrossed, and read the third time.

Mr. Phelps introduced a bill entitled "an act incorporating the Windsor and Plymouth Ascutney iron company,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Watson introduced a bill entitled "an act relating to protests of inland bills of exchange and promissory notes and the fees of notaries public,"

Which was read the first and second time and referred to the committee on the judiciary.

The engrossed bill entitled "an act providing for printing the journal of the Senate" was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was committed the bill entitled "an act relating to interest," reported the same with amendments, which were considered as in committee of the whole, the amendments amended and the bill reported to the Senate, the amendments proposed by the committee of the whole non-concurred in, and on the question,

"Shall the bill be engrossed and read the third time?" the yeas and nays having been demanded by Mr. Hebard, were taken and were as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Bell, Briggs, Grandy, Hammond, Henry, Howe, Hubbell, Keyes, Kinsman, Merrill, Miller, Palmer, Phelps, Porter, Ranney, Sheldon, Van Sicklin, Watson, White, Young—21.

Those who voted in the negative, are

Messrs. Beckwith, Converse, Hebard, Pierpoint, Steele, Tenney, Waterman—7.

So it was decided in the affirmative.

On motion of Mr. Palmer,

Ordered, that said bill be laid on the table.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act entitled an act supplementary to the several acts defining the powers of justices of the peace within this state," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the same committee, to whom was recommitted the bill entitled "an act to provide for reporting the decisions of the supreme court," reported the same without amendment, and it was ordered to be engrossed and read the third time.

Mr. Briggs, from the same committee, to whom was referred the bill entitled "an act directing the secretary of state to deliver sets of the Vermont reports to the several county clerks," reported that the same ought not to pass.

On motion,

Ordered, that it be indefinitely postponed.

Mr. Briggs, from the committee on the judiciary, to whom was referred the resolution of the 17th inst. relating to the decision of questions in the supreme court, reported that the subject of the resolution is embraced in a bill already before the Senate.

On motion of Mr. Briggs, the committee on the judiciary was discharged from the consideration of the resolution, passed on the 22d inst. relating to the regulation of banking and manufacturing corporations, &c.

Mr. Van Sicklin, from the committee on finance, to whom was referred the bill from the House of Representatives, entitled "an act to preserve the fish in Hinesburgh pond," reported that the same ought not to pass.

On motion of Mr. Pierpoint,

Ordered, that it be indefinitely postponed.

Mr. Waterman, from the committee on manufactures, to whom was referred the bill from the House of Representatives entitled "an act to incorporate the Brattleboro' Typographical Company," reported the same without amendment, and it was read the third time and passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House concur with the Senate in the amendment proposed to the resolution appointing a committee to settle with the superintendent for building the State house.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act providing a compensation for returning votes for senators to the county clerks," reported the same without amendment, and it was read the third time and passed.

Mr. Ranney, from the committee to whom was referred the resolution passed on the 22d inst. limiting the number of justices of the peace, reported a bill entitled "an act limiting the number of justices of peace, in the several towns in this state,"

Which was read the first and second time and ordered to be engrossed and read the third time. And the said bill having been engrossed,

On motion of Mr. Ranney,
Ordered, that the rules be suspended and that said bill be read a third time at this time.

On motion of Mr. Briggs, ordered that said bill be laid upon the table.

Mr. Pierpoint called up the bill entitled "an act to incorporate the Rutland Rail Road Bank," and the amendment proposed by Mr. Smilie, on the 21st instant, as stated on the journal of that day, was considered, and on the question, Shall the amendment be adopted? the yeas and nays having been demanded by Mr. Merrill, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Barnes, Kinsman, Merrill, Waterman—4.

Those who voted in the negative are
Messrs. Bell, Briggs, Converse, Gates, Grandy, Hammond, Hebard, Henry, Howe, Hubbell, Keyes, Miller, Palmer, Pierpoint, Phelps, Porter, Ranney, Sheldon, Smilie, Steele, Tenney, Van Sicklin, White and Young—24.

So it was decided in the negative, and the amendment was rejected.

On motion of Mr. Bell,

Ordered that the bill be laid on the table and made the order for tomorrow morning.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act in amendment of an act directing the mode of election of governor," &c. The amendments reported by the committee were amended; and the bill reported to the Senate; the amendments adopted, and on motion,

Ordered, that the bill be laid on the table.

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act to incorporate the Tunbridge manufacturing company," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

Mr. Henry, from the same committee, reported the bill referred to said committee entitled "an act incorporating the Green Mountain Iron Company," with an amendment, which was adopted, and the bill read the second time.

Ordered, that it be engrossed and read the third time.

Mr. Hebard introduced a bill entitled "an act to prohibit intemperance,"

Which was read the first and second time and

On motion of Mr. Hebard,

Ordered, that the bill be referred to the committee on the memorial of Zachaeus Bass and others.

Mr. White introduced a bill entitled "an act relating to highways," which was read the first and second time and referred to the committee on roads and canals.

The Senate adjourned.

Mr. Howe, from the committee on claims, to whom was referred the bill entitled "an act in favor of John S. Pettibone and Isaac Fletcher," reported the same, with amendments.

On motion of Mr. Watson,

Ordered, that said bill be recommitted to the committee on claims.

On motion of Mr. Watson,

Ordered, that two hundred copies of the report of the committee on roads and canals, submitted by Mr. Young, on Saturday last, be printed for the use of the Senate.

A message from the House of Representatives by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed the following bills, in which they ask the concurrence of the Senate :

"An act, directing the treasurer to pay Lyman Whitman the sum therein mentioned."

"An act, directing the treasurer to pay Clara Merrill the sum therein mentioned."

"An act, laying a tax on the lands in Brighton, in the county of Essex."

"An act, laying a tax on the lands in Chittenden, in Rutland county."

"An act, laying a tax on the lands in Roxbury, county of Washington."

"An act, granting to George Niles the exclusive right for a ferry from Alburgh to Highgate."

"An act, in addition to an act entitled an act to empower the judges of the supreme court to grant bills of divorce and to repeal parts of certain acts therein mentioned, passed Nov. 7, 1805."

"An act, in addition to the several acts constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

The house concur with the Senate in passing the following bills :

An act in favor of John H. Olin, and

An act providing for printing the journal of the Senate.

They have also concurred with the Senate in passing a bill entitled "an act directing the treasurer to pay Luther S. Burnham the sum therein mentioned," with an amendment.

They also concur with the Senate in the amendment proposed by the Senate to the bill, which originated in the House of Representatives, entitled "an act in addition to an act entitled "an act constituting probate courts," &c.

They also concur with the Senate, in the amendments proposed by the Senate, to the resolution assigning a time for a joint assembly for the election of a bank inspector and an agent to settle the concerns of the Vermont state bank.

The Senate adjourned.

AFTERNOON.

Mr. Converse presented the petition of Charles Marsh and others, for an act to incorporate the village of Woodstock,

Which was referred to a committee consisting of the senators from the county of Windsor.

Mr. Henry, from the committee on manufactures, to whom was referred a bill entitled "an act to incorporate the Castleton manufacturing company," and a bill entitled "an act to incorporate Salisbury manufacturing company," reported said bills with amendments to each, which were adopted, and the said bills were, severally, ordered to be engrossed and read the third time.

The engrossed bill entitled "an act to incorporate the Bennington manufacturing company," and

The engrossed bill entitled "an act to incorporate the West Townshend manufacturing company,"

Were, severally, read the third time and passed.

The Senate took up the bill entitled "an act directing the treasurer to pay Luther S. Burnham the sum therein mentioned," and the amendment made to said bill by the House of Representatives being under consideration,

Resolved, to concur in said amendment.

The bill from the House of Representatives, entitled "an act directing the treasurer to pay Lyman Whitman the sum therein mentioned," was read the first and second time and referred to the committee on claims.

Bills of the following titles, from the House of Representatives, were severally read the first and second time and ordered to be read the third time, viz:

"An act, directing the treasurer to pay Clara Merrill the sum therein mentioned."

"An act, laying a tax on the lands in Brighton, in the county of Essex."

"An act, laying a tax on the lands in Chittenden, in the county of Rutland."

"An act, laying a tax on the lands in Roxbury, in the county of Washington," and

"An act, granting to George Niles the exclusive right of a ferry from Alburgh to Highgate."

Bills of the following titles, from the House of Representatives, were, severally, read the first and second time and referred to the committee on the judiciary, viz:

"An act, in addition to an act entitled "an act to empower the judges of the supreme court to grant bills of divorce," &c.—and

"An act in addition to the several acts constituting the supreme court," &c.

Mr. Van Sicklin introduced a bill entitled "an act altering the term of the supreme court in the county of Chittenden,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Converse called up the bill entitled "an act to incorporate the Farmer's manufacturing company."

Ordered, that it be engrossed and read the third time.

Mr. Young called up the bill, entitled "an act directing the appointment of a surveyor general and county surveyors and regulating their office and duty," and the same was considered by the Senate, as in committee of the whole, and amended. The bill was afterwards report-

ed to the Senate, the amendment concurred in, and the bill ordered to be engrossed and read the third time.

Mr. Briggs called up the bill, entitled "an act relating to interest," and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Pierpoint, were taken, and were as follows:

Those who voted in the affirmative, are

Messrs. Barnes, Bell, Briggs, Gates, Hammond, Henry, Howe, Hubbell, Keyes, Kinsman, Merrill, Miller, Palmer, Phelps, Porter, Ranney, Sheldon, Van Sicklin, White and Young—20.

Those who voted in the negative, are

Messrs. Converse, Grandy, Hebard, Pierpoint, Steele, Tenney and Waterman—7.

So it was determined in the affirmative.

Mr. Hubbell introduced a bill, entitled "an act concerning the election of Senators,"

Which was read the first and second time, and referred to the committee on the judiciary.

Mr. Ranney called up the bill, entitled "an act in explanation of an act entitled "an act in addition to an act directing the mode of election of Governor, Lieut. Governor, Treasurer of the state and representatives, passed Nov. 4, 1812."

On motion of Mr. Converse,

Ordered, that said bill be postponed indefinitely.

The Senate adjourned.

TUESDAY, NOVEMBER 1, 1896.

Mr. Briggs introduced the following resolution:

Resolved, that such portion of the surplus revenue of the United States, as may, under the contemplated distribution thereof, fall to the share of this state, ought to be appropriated to the use of common schools in the several towns in this state, in proportion to their respective population, and that the committee on finance be instructed to report a bill making such appropriation, and also directing the manner in which the principal of said surplus shall be invested and managed.

Which was read and passed.

Mr. Bell introduced a bill, entitled "an act to prevent circus riding and theatrical exhibitions,"

Which was read the first and second time, and referred to the committee on the judiciary.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing a bill entitled "an act relating to jailer's fees," with an amendment, in which they ask the concurrence of the Senate.

The house have also passed the following bills in which they ask the concurrence of the Senate, viz:

"An act, directing the treasurer to pay Oramel H. Smith, the sum therein mentioned."

"An act, incorporating literary and Scientific associations."

"An act, in addition to and amendment of "an act entitled an act regulating and licencing victualling houses, passed November 10, 1880."

"An act, directing the treasurer to pay James Dwyer and Adolphus Paul, the sum therein mentioned."

"An act, directing the quarter-master general to furnish a field piece with carriage and apparatus, for the use of an artillery company in Stow."

"An act, directing the treasurer to pay Harvey Bell, the sum therein mentioned."

"An act, annexing part of the town of Highgate to the town of Swanton."

"An act, relating to bank commissioners."

"An act, to revive and alter an act laying a tax of three cents per acre, on the town of Woodbury in the county of Washington."

"An act, laying a tax on the lands in Newark."

"An act, for the relief of Allen Smith."

Mr. Hammond introduced a bill entitled "an act fixing the pay of librarian."

Which was read the first and second time, and referred to the committee on finance.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill entitled "an act altering the term of the supreme court in Chittenden county," reported the same without amendment.

Ordered, that said bill be laid on the table.

Mr. Steele, from the committee on finance, to whom was recommit-
ted the bill entitled "an act directing the treasurer to credit the town of Vernon the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Phelps introduced a bill entitled "an act incorporating the Middle falls manufacturing company,"

Which was read the first and second time, and referred to the committee on manufactures.

Mr. Converse, from the committee to whom was referred the petition of Charles Marsh and others, reported a bill entitled "an act incorporating the village of Woodstock,"

Which was read the first and second time.

Ordered, that it be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act relating to protests of inland bills of exchange and promissory notes and the fees of notaries public," reported the same without amendment.

On motion of Mr. Watson,

Ordered, that it be laid on the table.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

Mr. President: The House have passed a resolution directing the librarian to place certain statutes, journals, &c. in the library.

They have also passed a bill entitled "an act in addition to an act entitled an act, constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," in which they ask the concurrence of the Senate.

Mr. Porter called up the bill entitled "an act in amendment of an act directing the mode of election of Governor," &c. and after debate thereon,

The Senate adjourned.

AFTERNOON.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act empowering the judges of the supreme court to grant bills of divorce, passed Nov. 7, 1805," reported that said bill ought not to pass.

On motion of Mr. Howe,

Ordered, that it be laid on the table.

Mr. Hebard, from the same committee, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act entitled an act to empower the judges of the supreme court to grant bills of divorce and to repeal parts of certain acts therein mentioned, passed Nov. 7, 1805," reported said bill with amendments.

On motion of Mr. Pierpoint,

Ordered, that it be laid on the table.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred with the Senate in passing a bill entitled "an act concerning county court writs." They have passed a bill entitled "an act directing the treasurer to pay Samuel B. Booth the sum therein mentioned," in which they ask the concurrence of the Senate.

The following bills from the House of Representatives, were, severally, read the third time and passed.

"An act, directing the treasurer to pay Clara Merrill the sum therein mentioned."

"An act, laying a tax on the lands in Brighton in the county of Essex."

"An act, laying a tax on the lands in Chittenden in Rutland county."

"An act, laying a tax on the lands in Roxbury, county of Washington."

"An act, granting to George Niles the exclusive right of a ferry from Alburgh to Highgate."

The bill entitled "an act relating to jailer's fees," amended in the House of Representatives and sent to the Senate for concurrence in the amendments, was taken up, and

Resolved, to concur in said amendments.

Engrossed bills of the following titles were severally read the third time and passed:

"An act, incorporating Salisbury manufacturing company."

"An act, to incorporate the Castleton manufacturing company."

"An act, to incorporate the Farmer's manufacturing company at East Bethel."

Mr. Hubbell, from the committee on bills, reported that said committee have this day presented to the governor, for his approbation and signature, the following entitled bills:

"An act, for the relief of Ebenezer Spencer and Simon Blanchard, jr."

"An act, in favor of John H. Olin."

"An act, providing for printing the journal of the Senate," and

"An act, in addition to an act entitled an act constituting probate courts, &c."

The Senate proceeded to the consideration of a resolution from the House of Representatives in these words: "Resolved, the Senate concurring herein, that the librarian be directed to procure the statutes, acts, state papers and journals, the property of the state, now in the hands of Benjamin Swan, Esq. and deposit them in the library for the use of the General Assembly."

Which was read, and

Resolved to concur therein.

The following bills from the House of Representatives were taken up, read the first and second time and ordered as follows, viz:

"An act, directing the treasurer to pay Oramel H. Smith the sum therein mentioned" was referred to the committee on claims.

"An act, incorporating literary and scientific associations," was referred to the committee on education.

"An act, in addition to, and amendment of an act entitled an act regulating and licencing victualling houses, passed Nov. 10, 1830," was referred to the committee on finance.

"An act, directing the treasurer to pay James Dwyer and Adolphus Paul, the sum therein mentioned," was referred to the committee on claims.

"An act, directing the quarter-master general to furnish a field piece, with carriage and apparatus, for the use of an artillery company in Stow," was referred to the committee on military affairs.

"An act, directing the treasurer to pay Harvey Bell, the sum therein mentioned," was referred to the committee on claims.

"An act, annexing a part of the town of Highgate to the town of Swanton," was referred to the senators from Franklin county.

"An act, relating to bank commissioners," was ordered to be read the third time—the rule suspended—the bill read the third time and passed.

"An act, to revive and alter an act laying a tax of three cents per acre on the lands in the town of Woodbury in the county of Washington," was ordered to be read the third time.

"An act, laying a tax on the lands in Newark," was referred to the committee on land taxes.

"An act, for the relief of Allen Smith," was referred to the committee on finance.

"An act, in addition to an act entitled an act constituting the supreme court of judicature and county courts," &c. was referred to the committee on the judiciary.

The Senate adjourned.

WEDNESDAY, NOVEMBER 2, 1836.

Mr. Converse, from the committee on bills, reported that the committee yesterday delivered to the governor, for his approbation, a bill entitled "an act directing the treasurer to pay Luther S. Burnham, the sum therein mentioned."

Mr. Henry, from the committee on manufactures to whom was referred a bill entitled "an act incorporating the Middle falls manufacturing company," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

The engrossed bill entitled "an act directing the appointment of a surveyor general and county surveyors and regulating their office and duty," was read the third time and passed.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill entitled "an act in addition to an act to prevent forcible entry and detainer, passed Feb. 27, 1797," made report that the bill ought not to pass.

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table.

Mr. Phelps, from the committee on military affairs, to whom was referred a bill, entitled "an act providing a field piece for a company in Rockingham," reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that said bill be recommitted to the committee on military affairs, with instructions to report a general bill, providing for distribution of field pieces.

Mr. Phelps, from the same committee, to whom was referred a bill from the House of Representatives entitled "an act directing the quartermaster general to furnish a field piece with carriage and apparatus for the use of an artillery company in Stow," reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that said bill be recommitted to the committee on military affairs.

A bill, from the House of Representatives, entitled "an act to revive and alter an act laying a tax of three cents per acre, on the town of Woodbury, in the county of Washington," was read the third time and passed.

A bill from the House of Representatives entitled "an act directing the treasurer to pay Samuel B. Booth, the sum therein mentioned," was read the first and second time and referred to the committee on claims.

The engrossed bill entitled "an act, incorporating the village of Woodstock," was read the third time and passed.

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution appointing a committee to inventory the property of the state prison and settle with the superintendent, in which they ask the concurrence of the Senate.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act entitled an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," reported the same without amendment. The bill was taken up by the Senate as in committee of the whole and no amendment being made thereto, it was reported to the Senate.

On motion of Mr. Converse,

Ordered that it be laid on the table.

The Senate adjourned.

AFTERNOON.

Mr. Sheldon, from the committee, to whom was referred the bill from the House of Representatives entitled "an act annexing a part of the town of Highgate to the town of Swanton," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs presented the memorial of George Gale and others, which was referred to the committee on the memorial of Zacheus Bass and others.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act in relation to contested elections," reported the same with an amendment, and the same was considered as in committee of the whole, and ordered to be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed a resolution requesting the governor to appoint a day of thanksgiving—also a resolution authorising the auditor of accounts against the state to audit and allow the account of the committee appointed to settle with the superintendent of the state house.

The following resolution from the House of Representatives was taken up:

Resolved, the Senate concurring herein, that Lyman Fitch of Thetford, and William Nash of Newhaven, be and they are hereby appointed a committee to attend at the state prison in the month of September next, to make an appraisal and inventory of all the property belonging to the said prison; and also to settle with the superintendent and investigate all the accounts of said prison, and report to the next session of the legislature.

Mr. Phelps moved to amend said resolution by erasing the words "to the next session of the legislature," and insert the words "to the governor, on or before the second Thursday of October next."

And the question being put on said amendment, was decided in the affirmative.

On motion of Mr. Porter,

Ordered, that the resolution be laid on the table.

Mr. Young from the committee to whom was referred the memorial of Zacheus Bass and others, the memorial of Enos Merrill and others, the memorial of Benjamin Abbot and others, the memorial of George Gale and others, and the memorial of ladies in Bethel, submitted a* report thereon and reported a bill, entitled "an act relating to innkeepers and for regulating the sale of wines and distilled spirituous liquors,"

Which was read the first and second time and considered as in committee of the whole, and

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table, and that three hundred copies of the petition of Zacheus Bass and others, of the report of the committee thereon and of the said bill be printed for the use of the Senate.

*See appendix.

The following resolution from the House of Representatives was taken up :

"Resolved, the Senate concurring herein, that the auditor of accounts against the state, be authorized and directed to audit and allow the accounts of Samuel C. Crafts, Jonas Clark and Thomas Reed, jr. for their services in settling with the superintendent for building the state house, and to draw orders on the treasurer for the same."

Which was read, and
Resolved to concur therein.

The following resolution from the House of Representatives was also taken up :

"Resolved, by the House of Representatives, the Senate concurring, that the governor be requested to appoint Thursday the first day of December next, to be observed as a day of public thanksgiving and prayer throughout this state."

Which was read and
Resolved, to concur therein.

Mr. Howe, from the committee on banks, to whom was referred the report of John S. Pettibone, Esq. on the situation of the banks in this state, reported that no action by the Senate is necessary thereon.

On motion of Mr. Van Sicklin, the Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act ascertaining the principle on which the list of this state shall be made and directing listers in their office and duty."

On motion of Mr. Palmer,

Ordered, that said bill with the amendments proposed thereto, be referred to a select committee of three to be appointed by the chair.

The president thereupon appointed, as such committee, Mr. Palmer, Mr. Tenney and Mr. Henry.

The Senate adjourned.

THURSDAY, NOVEMBER 3, 1886.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives, entitled "an act in addition to the several acts constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," reported the bill with an amendment. The bill was considered as in committee of the whole; and the amendment rejected and the bill reported to the Senate; and the question "Shall the bill be read the third time?" being put was decided in the negative.

So the bill was rejected.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have concurred with the Senate in passing a bill entitled "an act to incorporate the Rutland Rail Road Bank," with an amendment.

The Senate took up the bill entitled "an act to incorporate the Rutland Rail Road Bank," the amendment proposed by the House of Rep-

representatives, being the addition of a new section, (Section 27,) was read and

Resolved, to concur with the House of Representatives in said amendment.

Mr. Beckwith, from the committee on land taxes, to whom was referred the bill from the House of Representatives, entitled "an act laying a tax on the lands in Newark," reported the bill with amendments, viz : in the amount of the tax per acre, strike out the word *six* and insert the word *five*—in that part of the bill appointing a collector, strike out the words "Elisha Spencer of Newark," and insert the words "Isaac Denison of Burke ;" which amendments were concurred in, and the bill was read the third time and passed.

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives do not concur with the Senate in passing the bill entitled "an act directing the treasurer to pay Amos Thompson the sum therein mentioned."

Mr. Pierpoint called up the resolution from the House of Representatives for the appointment of a committee to inventory the property at the state prison, &c.

Mr. Steele proposed an amendment thereto.

On motion of Mr. Phelps,

Ordered, that said resolution and amendment be laid on the table.

Mr. Howe introduced a bill entitled "an act in addition to an act directing the mode of appointing electors of President and Vice President of the United States,"

Which was read the first and second time, and referred to the committee on the judiciary.

Mr. White introduced a bill entitled "an act incorporating the President, directors and company of the bank of Poultney,"

Which was read the first and second time, and referred to the committee on banks.

Mr. White introduced a bill entitled "an act relating to the transfer of turnpike stock to towns,"

Which was read the first and second time, and referred to the committee on roads and canals.

The engrossed bill entitled "an act incorporating the Middle falls manufacturing company" was read the third time and passed.

Mr. Miller called up the bill entitled "an act in addition to an act, entitled an act, constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

Mr. Hebard moved to amend the bill by striking out all after the enacting clause, and inserting the following :

"That the judges of the supreme court of this state shall be entitled to receive, as compensation for their services, the sum of dollars in addition to what they now receive."

Mr. Pierpoint moved to fill the blank in the proposed amendment with the words *two hundred*, and the question being put, was decided in the affirmative.

The question was then put "Will the Senate agree to the amendment proposed by Mr. Hebard?" and on this question the yeas and nays having been demanded by Mr. Phelps, were taken, and were as follows :

Those who voted in the affirmative, are
Messrs. Barnes, Beckwith, Gates, Hebard, Hubbell, Merrill, Ranney,
Sheldon, Steele, Waterman, Young—11.

Those who voted in the negative, are
Messrs. Bell, Briggs, Converse, Grandy, Hammond, Henry, Howe,
Keyes, Miller, Palmer, Pierpoint, Phelps, Porter, Tenney, Van Sicklin,
Watson, White—17.

So it was decided in the negative.

The question was then stated from the chair, "Shall the bill be read the third time?" and on this question the yeas and nays were demanded by Mr. Ranney, and were as follows:

Those who voted in the affirmative, are
Messrs. Bell, Briggs, Converse, Grandy, Hammond, Henry, Howe,
Keyes, Miller, Pierpoint Phelps, Porter, Van Sicklin, White—14.

Those who voted in the negative, are
Messrs. Barnes, Beckwith, Gates, Hebard, Hubbell, Merrill, Palmer,
Ranney, Sheldon, Steele, Tenney, Waterman, Watson, Young—14.

The Senate being equally divided, the secretary took the casting vote of the president.

The president voted in the affirmative, and the bill was read the third time.

On motion of Mr. Waterman,

Ordered, that the bill be laid on the table.

The Senate adjourned.

AFTERNOON.

Mr. Hubbell, from the committee on bills, reported that the committee have this day delivered to the governor, for his approbation and signature, the following bills, viz:

"An act, annexing a part of the town of Highgate to the town of Swanton."

"An act, relating to bank commissioners."

"An act, directing the treasurer to pay Clara Merrill the sum therein mentioned."

"An act, relating to jailor's fees."

"An act, concerning county court writs."

"An act, directing the treasurer to credit the town of Vernon the sum therein mentioned."

"An act, to revive and alter an act laying a tax of three cents per acre, on the town of Woodbury, in the county of Washington."

"An act, granting to George Niles the exclusive right for a ferry from Alburgh to Highgate."

"An act, laying a tax on the lands in Brighton, in the county of Essex."

"An act, laying a tax on the lands in Roxbury, county of Washington."

"An act, laying a tax on the lands in Chittenden, in Rutland county."

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act incorporating the Clarendon manufac-

turing company," reported the bill with an amendment, which was concurred in, and the bill was ordered to be engrossed and read the third time.

Mr. Hammond, from the committee on finance, to whom was referred the bill from the House of Representatives entitled "an act in addition to and amendment of an act entitled an act regulating and licensing victualling houses, passed November 10, 1880," reported the same without amendment, and the bill was read the third time and passed.

Mr. Hammond, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act for the relief of Allen Smith," reported the same, without amendment, and it was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act directing the mode of appointing electors of President and Vice President of the United States," reported the same with an amendment; and the same was considered as in committee of the whole; the amendment amended, and the bill reported to the Senate. The amendments proposed in committee of the whole were concurred in and the bill ordered to be engrossed and read the the third time.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act to prevent circus riding and theatrical exhibitions," reported that the same ought not to pass.

On motion of Mr. Howe,

Ordered, that it be laid on the table.

Mr. Briggs, from the same committee, to whom was referred the bill entitled "an act concerning the election of senators," reported the same without amendment.

On motion, the bill was laid on the table.

Mr. Phelps introduced a bill entitled "an act incorporating the Great Falls manufacturing company,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Watson, from the committee on education, to whom was referred a bill entitled "an act in relation to common schools," reported that the bill ought not to pass.

On motion of Mr. Watson,

Ordered, that it be laid on the table.

Mr. Porter called up the bill entitled "an act in addition to an act entitled an act to prevent forcible entry and detainer, passed Feb. 27, 1797," and the same was considered as in committee of the whole and amended.

On motion of Mr. Howe,

Ordered, that it be laid on the table.

Mr. Merrill called up the bill entitled "an act in amendment of an act directing the mode of election of governor," &c.

Ordered, that the title of said bill be altered so as to read "an act regulating elections," and that the bill be engrossed and read the third time.

The said bill, having been engrossed, was read the third time and passed.

A bill entitled "an act repealing an act to preserve fish in Willoughby lake," was ordered to be engrossed and read the third time.

On motion of Mr. Briggs, the engrossed bill entitled "an act in addition to an act directing the mode of appointing electors of President and Vice President," was taken up and the rule requiring it to lie twenty-four hours was suspended, and

Ordered, that it be read the third time at this time.

The said bill was read the third time and passed.

The bill entitled "an act in relation to notes and bills of exchange," was taken up and amended and ordered to be engrossed, as amended, and read the third time.

Mr. Howe called up the bill from the House of Representatives entitled "an act in addition to an act entitled an act to empower the judges of the supreme court to grant bills of divorce and to repeal parts of certain acts therein mentioned, passed Nov. 7, 1805," and the same was considered as in committee of the whole and amended in pursuance of the report of the committee on the judiciary. The said bill was reported to the Senate, as amended; the amendments agreed to; and the bill was read the third time and passed.

The bill entitled "an act in addition to an act empowering the judges of the supreme court to grant bills of divorce, passed Nov. 7, 1805," was taken up.

On motion of Mr. Pierpoint,

Ordered, that it be indefinitely postponed.

The Senate adjourned.

FRIDAY, NOVEMBER 4, 1836.

Mr. Converse, from the committee on bills, reported that the committee have this day delivered to the governor, for his approbation and signature, a bill entitled "an act incorporating the Rutland Rail Road Bank."

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act incorporating the Great Falls manufacturing company," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

Mr. Howe, from the committee on claims, to whom was referred the bill from the House of Representatives entitled "an act directing the treasurer to pay Harvey Bell the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

The engrossed bill entitled "an act repealing an act to preserve fish in Willoughby lake," was read the third time and passed.

The bill entitled "an act altering the term of the supreme court in Chittenden county," was ordered to be engrossed and read the third time.

The engrossed bill entitled "an act incorporating certain towns therein named, by the name of the Franklin county asylum for the poor," &c.

The engrossed bill entitled "an act relating to notes and bills of exchange,"

Were severally read the third time and passed.

Mr. Palmer, from the select committee to whom was referred the bill entitled "an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," with amendments proposed, reported the said bill without amendment, and the bill was taken up by the Senate as in committee of the whole, and

On motion of Mr. Howe,

Ordered, that the bill be laid on the table and made the order for this afternoon.

Mr. Phelps introduced the following resolution :

Resolved, that the agent appointed to settle the concerns of the Vermont state bank be and he hereby is instructed to present to the Senate, at its present session, an inventory of all the lands and other property of said bank, remaining on hand, belonging to the state, particularly specifying where the same is situated, the condition, quantity, quality and probable value of the same, with such other information as may be in his possession in relation thereto.

Which was read and passed.

Mr. Henry, from the committee on manufactures to whom was referred the bill entitled "an act incorporating the Windsor and Plymouth Ascutney iron company," reported the same with amendments which were adopted.

Ordered, that the bill be engrossed and read the third time.

The Senate adjourned.

AFTERNOON.

Mr. Young, from the committee on roads and canals, to whom was referred on the 22d ult. a resolution from the House of Representatives directing the state's attorney for the county of Rutland to commence a writ of scire facias against the Green Mountain turnpike company, reported that the same ought not to pass.

On motion of Mr. Pierpoint,

Ordered, that the resolution be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The house have concurred with the Senate in passing a bill entitled "an act in addition to an act directing the mode of appointing electors of President and Vice President," with an amendment.

Mr. Pierpoint introduced a bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

Which was read the first and second time and referred to the committee on claims.

Mr. Hammond, from the committee on finance, to whom was referred, on the first inst., a resolution relating to the surplus revenue of the United States, reported a bill entitled "an act directing the treasurer to receive such money as this state may be entitled to receive from the United States,"

Which was read the first and second time and ordered to be engrossed and read a third time.

Mr. Kinsman introduced a bill entitled "an act directing the treasurer to pay Eliphalet Hewett the sum therein mentioned,"

Which was read the first and second time, and referred to the committee on claims.

On motion of Mr. Van Sicklin, the Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act ascertaining the principles on which the grand list of this state shall be made and directing listers in their office and duty," and made progress therein.

On motion of Mr. Converse,

Ordered, that when the Senate adjourn, it adjourn to meet at half past six o'clock this evening.

The Senate adjourned.

EVENING.

The Senate took up the bill entitled "an act in addition to an act entitled an act directing the mode of appointing electors of President and Vice President of the United States." The amendment proposed by the House of Representatives (being the insertion of the following words in the second section, "state treasurer, secretary of state, auditor of accounts against the state, librarian,") was read, and

Resolved to concur with the House of Representatives in said amendment.

Engrossed bills of the following titles were severally read the third time and passed:

"An act, incorporating the Great Falls manufacturing company."

"An act, altering the term of the supreme court in Chittenden county."

"An act, incorporating the Windsor and Plymouth Ascutney iron company."

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act ascertaining the principles on which the list of this state shall be made," &c. and while considering said bill,

The Senate adjourned.

SATURDAY, NOVEMBER 5, 1836.

Mr. Briggs introduced a bill entitled "an act for the relief of Lois Grandy,"

Which was read the first and second time, and on motion of Mr. Briggs,

Ordered, that said bill be laid on the table.

Mr. Young, from the committee on roads and canals, to whom was referred (on the 26th ult.) the bill entitled "an act relating to highways," reported that said bill ought not to pass.

On motion of Mr. White,

Ordered, that the bill be laid on the table.

Mr. Hubbell, from the committee on the judiciary, to whom was referred the resolution instructing said committee to inquire into the expediency of so altering the law that the reports of sundry state officers, be hereafter made to the governor, &c.—reported a bill entitled “an act concerning the duties of sundry state officers,”

Which was read the first and second time, ordered to be engrossed and read the third time.

Mr. Henry, from the committee on manufactures, to whom was referred a bill entitled “an act to incorporate the Barre manufacturing company,” reported said bill, with amendments, which were adopted, and said bill was ordered to be engrossed and read the third time.

Mr. Bell, from the committee on education, to whom was referred a bill from the House of Representatives, entitled “an act incorporating literary and scientific associations,” reported said bill with amendments, which were adopted and the bill was read a third time.

On motion of Mr. Watson,

Ordered, that the said bill be re-committed to the committee on education.

Mr. Pierpoint, from the committee on claims, to whom was referred bills from the House of Representatives, of the following titles :

“An act directing the treasurer to pay James Dwyer and Adolphus Paul the sum therein mentioned,” and

“An act, directing the treasurer to pay Samuel B. Booth the sum therein mentioned,” reported said bills without amendment, and

On motion of Mr. Pierpoint,

Ordered, that said bills be severally laid on the table.

Mr. Pierpoint, from the same committee, to whom was also referred a bill entitled “an act directing the treasurer of this state to pay Peter Nichols the sum therein mentioned,” reported said bill without amendment.

On motion of Mr. Pierpoint,

Ordered, that said bill be laid on the table.

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution that both houses meet in joint assembly on Monday, the seventh day of November inst., for the purpose of appointing a brigadier general of the second brigade and first division.

The said resolution from the House of Representatives was taken up, and is as follows :

Resolved, the Senate concurring herein, that both houses meet in joint assembly on Monday, the seventh of November instant, at half past two o'clock, afternoon, in the representatives' hall, for the purpose of appointing a brigadier general of the second brigade and first division.

On motion of Mr. Phelps,

Ordered, that said resolution be amended as follows : after the last word in said resolution, add the following words : “and also a brigadier general of the third brigade and first division.”

Resolved to concur in said resolution with the said amendment.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled “an act ascertaining the principles on which the list

of this state shall be made," &c., and after making amendments therein, reported the same to the Senate; the amendments were concurred in, and

Ordered, that the bill be laid on the table.

The Senate adjourned.

AFTERNOON.

Mr. Steele called up the resolution from the House of Representatives, for the appointment of a committee to inventory the property at the Vermont state prison, &c. and the amendment proposed by him; which amendment is as follows:

Strike out all after the word "Resolved" and insert the following:

"That the superintendent of the Vermont state prison be, and he is hereby directed in making his annual report to the legislature, to make out and return to the governor an invoice of all the property in said prison belonging to the state, particularly specifying all the several items with the value thereto annexed; also, the number of officers and servants employed in and about said prison, specifying the duties of said officers and servants, and the amount paid for their services," which amendment was adopted.

Resolved, to concur in said resolution with the said amendment.

Mr. Phelps, from the committee on military affairs, reported a bill entitled "an act regulating and governing the Militia of this state,"

Which was read the first time and

On motion of Mr. Pierpont,

Ordered, that said bill be laid on the table.

Mr. Hubbell, from the committee on bills, reported that the committee have this day delivered to the governor for his approbation and signature the following bills:

"An act directing the treasurer to pay Harvey Bell the sum therein mentioned."

"An act in addition to and amendment of an act regulating and licensing victualing houses, passed November 10, 1830."

"An act for the relief of Allen Smith."

"An act in addition to an act entitled an act directing the mode of appointing electors of President and Vice President of the United States."

The Senate took up the engrossed bill, entitled "an act directing the treasurer to receive such money as this state may be entitled to receive from the United States,"

Which was read a third time and passed.

Mr. Bell called up the bill entitled "an act relating to innkeepers, and for regulating the sale of wines and distilled spiritous liquors," and it was considered by the Senate as in committee of the whole and laid up on the table.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The house have passed a resolution requesting the governor to appoint A. B. Young superintendent to complete the state house; they have also passed a bill entitled "an act to repeal part of an

act relating to the state prison," in which they ask the concurrence of the Senate.

The Senate adjourned.

MONDAY, NOVEMBER 7, 1836.

On motion of Mr. Gates, leave of absence was granted to him from and after to-morrow for the remainder of the present week.

Mr. Tenney introduced a bill entitled "an act to incorporate Wells River manufacturing company,"

Which was read the first and second time and referred to the committee on Manufactures.

Mr. Briggs introduced the following resolution :

Resolved, that the twenty-second rule be amended so as to read as follows :

"On the demand of a senator, public bills, after a second reading, shall be considered by the Senate, as in committee of the whole."

Which was read, and laid on the table.

The Senate took up the bill from the House of Representatives entitled "an act to repeal part of an act relating to the state's prison,"

Which was read the first and second time and referred to the committee on finance.

The Senate took up the following resolution from the House of Representatives :

Resolved, the Hon. Senate concurring herein, that his excellency the governor be requested to appoint A. B. Young to superintend the completion of the state house, agreeably to the provision of an act passed November the eighth, in the year one thousand eight hundred and thirty-two.

On the question, "Shall the resolution pass?"

It was decided in the negative.

Engrossed bills of the following titles were severally read the third time and passed :

"An act incorporating the Clarendon manufacturing company."

"An act to incorporate Barre manufacturing company."

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The house concur with the Senate in the proposed amendment of the Senate to the resolution passed by the house providing for making an invoice of property at the Vermont state prison.

The house also concur with the Senate in passing bills of the following titles :

"An act incorporating the Black river card company."

"An act to incorporate the Williams river manufacturing company."

"An act incorporating the Green Mountain iron company."

"An act to incorporate the Tunbridge manufacturing company."

The house have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act in addition to an act entitled an act for the distribution of laws, journals and other public papers, passed March 7, 1797."

"An act to restore Jabez P. Holden to his legal rights and privileges."

"An act to incorporate the Middlebury Savings Bank."

"An act, laying a tax on the lands in Jay."

"An act, reviving and altering an act laying a tax on the lands in Glastenbury."

"An act, in addition to an act constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates and the guardianship of minors and insane persons."

"An act, laying a tax on the lands in Victory."

"An act, altering the name of Francis Flaureut."

"An act, in addition to an act relating to the appointment and duties of inspectors of hops, in and for the State of Vermont."

"An act, compensating the superintendent of the Vermont State prison."

The house have also passed a resolution assigning a time for a joint assembly for the election of assistant justice of the county court of the county of Lamoille, in the place of Henry Stowell, resigned; also a resolution for a joint assembly for the election of an assistant justice in Bennington county, in the place of Nathan Burton, resigned.

The house took up the bill entitled "an act ascertaining the principles on which the list of this state shall be made and directing lists in their office and duty."

Mr. Pierpoint moved to amend said bill in the first section, by striking out the words "and excepting lands that have not been improved either for pasturage, mowing or tillage."

And on the question, "Will the Senate agree to the amendment?" the yeas and nays having been demanded by Mr. Ranney, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Beckwith, Briggs, Converse, Hammond, Hebard, Henry, Howe, Kinsman, Merrill, Palmer, Pierpoint, Ranney, Steele—13.

Those who voted in the negative, are

Messrs. Barnes, Bell, Gates, Grandy, Hubbell, Keyes, Miller, Phelps, Porter, Sheldon, Tenney, Van Sicklin, Waterman, Watson, White, Young—16.

So it was decided in the negative.

Mr. Ranney moved to amend the bill in the thirteenth line of the second section by erasing the word *four* and inserting the word *six*.

And the question, being taken thereon, was decided in the negative.

On motion of Mr. Briggs, the bill was laid on the table.

The resolution this morning received from the House of Representatives, assigning a time for the election of assistant justices for Bennington and Lamoille counties, was taken up, and on motion

Resolved to concur therein.

The Senate adjourned.

AFTERNOON.

Mr. Watson, from the committee on education, to whom was referred the resolution passed on the 19th ult. on the subject of a geological and topographical survey of the state, made a* report thereon, concluding with the following resolution:

*See appendix.

"Resolved that the Governor be requested to procure an estimate of the probable expense of a geological and topographical survey of the state, and report to the next general assembly."

On motion of Mr. Howe,

Ordered, that three hundred copies of said report be printed for the use of the Senate.

Mr. Henry, from the committee on manufactures, to whom was referred a bill entitled "an act to incorporate the Brattleboro' manufacturing company," reported the same with an amendment, viz: striking out of the bill after the enacting clause, the whole bill, being fourteen sections, and inserting four sections.

And on the question, "Will the Senate agree to the amendment?" the yeas and nays having been demanded by Mr. Waterman, were taken and were as follows:

Those who voted in the affirmative, are

Messrs. Bell, Briggs, Grandy, Hammond, Henry, Howe, Hubbell, Keyes, Kinsman, Miller, Palmer, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, Tenney, Van Sicklin, White and Young—21.

Those who voted in the negative, are

Messrs. Barnes, Merrill, Waterman and Watson—4.

On motion, the bill was laid on the table.

The bill from the House of Representatives, entitled "an act in addition to an act entitled an act for the distribution of laws, journals and other public papers, passed March 7, 1797," was read the first time and the question, "Shall the bill be read the second time?" being put, was decided in the negative.

Bills of the following titles from the House of Representatives were severally taken up, read the first and second time and ordered as follows, viz:

"An act, to restore Jabez P. Holden to his legal privileges," and

"An act, in addition to an act constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates and the guardianship of minors and insane persons," were referred to the committee on the judiciary.

"An act, to incorporate the Middlebury savings bank," was referred to the committee on banks.

"An act, laying a tax on the lands in Jay," and

"An act, laying a tax on the lands in Victory," were referred to the committee on land taxes.

"An act, reviving and altering an act laying a tax on the lands in Glastenbury," was ordered to be read the third time.

"An act, altering the name of Francis Flaureut," was referred to the committee on the bill for altering the name of Pat Handly.

"An act, in addition to an act entitled "an act relating to the appointment and duties of inspectors of hops in and for the State of Vermont," was referred to the committee on agriculture.

"An act, compensating the superintendent of the Vermont state prison," was referred to the committee on finance.

On motion of Mr. Ranney,

Ordered, that when the Senate adjourn, it adjourn to meet at half past six o'clock this evening.

The engrossed bill entitled "an act concerning the duties of sundry state officers," was read the third time and passed.

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives concur in the amendments proposed by the Senate to the bill entitled "an act to empower the judges of the supreme court to grant bills of divorce and to repeal parts of certain acts therein mentioned, passed Nov. 7, 1805," and in the amendment proposed to the bill entitled "an act laying a tax on lands in Newark."

They have also passed bills, with the following titles, in which they ask the concurrence of the Senate :

"An act in addition to an act dividing the state into districts for the election of representatives to the Congress of the U. S. and directing the mode of their election, passed Nov. 8, 1832."

"An act to incorporate the Mills manufacturing company."

"An act extending the time and continuing in force for a limited period an act to incorporate the President, directors and company of the bank of St. Albans."

"An act in addition to an act entitled an act directing leather sealers in their office and duty and regulating the sale of leather, boots, shoes, and the manufacture and sale of iron and steel."

"An act to settle the boundary line between the towns of Elmore and Worcester."

"An act to incorporate the Warren Farmer's manufacturing company."

"An act extending the limits of the jail yard in Washington county."

"An act to incorporate the Norwich and Hartford rail road forwarding company."

"An act to incorporate the Hartland manufacturing company."

"An act laying a tax on lands in the town of Newport."

"An act, to incorporate the Black river marble and soap stone manufacturing company."

"An act, to incorporate the Rutland east creek manufacturing company."

"An act, for the relief of the town of Swanton."

"An act for the relief of Joseph Weeks."

"An act, for the relief of Enoch Hall, Levi Hall and Nathaniel Hall."

"An act, to incorporate the mutual manufacturing company."

"An act, for the relief of Davis Cutting."

"An act to incorporate the Franklin county steam boat company."

"An act to incorporate the Lamoille manufacturing company."

"An act in addition to an act dividing the state into judicial districts, passed October 29, 1833."

"An act to incorporate the Arlington manufacturing company."

"An act establishing a county grammar school in Richmond in the county of Chittenden."

A bill from the House of Representatives, entitled "an act in addition to an act dividing the state into districts for the election of representatives to the congress of the U. S." &c. was read the first and second time.

Ordered, that the rule requiring the bill to lie twenty-four hours before

the third reading be suspended, and that the bill be read a third time at this time.

The said bill was read the third time and passed.

The Senate adjourned.

EVENING.

Mr. Pierpoint, from the committee, to whom was referred the bill entitled "an act altering the name of Pat Handly," to whom was also referred the several bills altering the names of Anderson Burt, Almira Lull, Mary Eliza Royce, Sarah Trickey, and Francis Flaurent, reported a bill entitled "an act altering the names of certain persons,"

Which was read the first and second time and ordered to be engrossed and read the third time.

The following bills, from the House of Representatives were, severally, read the first and second time and referred to the committee on manufactures :

"An act to incorporate the Lamoille manufacturing company."

"An act, to incorporate the Arlington cotton and woollen manufacturing company."

"An act, to incorporate the Warren Farmer's manufacturing Company."

"An act, to incorporate the Hartland manufacturing company."

"An act, to incorporate the Black river marble and soap stone manufacturing company."

"An act, to incorporate the Rutland east creek manufacturing company."

"An act, to incorporate the mutual manufacturing company."

"An act, to incorporate the Mills Woollen company."

The following bills, from the House of Representatives, were, severally, read the first and second time and referred to the committee on finance :

"An act, for the relief of Joseph Weeks."

"An act, for the relief of the town of Swanton."

"An act, for the relief of Davis Cutting."

"An act, for the relief of Enoch Hall, Levi Hall and Nathaniel Hall."

The following bills, from the House of Representatives, were, severally, read the first and second time and referred to the committee on the judiciary :

"An act, to settle the boundary line between the towns of Elmore and Worcester."

"An act, extending the limits of the jail yard in Washington county."

"An act, in addition to an act entitled an act directing leather sealers in their office and duty and regulating the sale of leather, boots, shoes, and the manufacture and sale of iron and steel."

"An act, to incorporate the Norwich and Hartford rail road forwarding company."

"An act, in addition to an act, dividing the state into judicial districts, passed October 29, 1833."

A bill from the House of Representatives, entitled "an act laying a tax on the lands in Newark," was read the first and second time and referred to the committee on land taxes.

A bill from the House of Representatives, entitled "an act establishing a county grammar school in Richmond, in the county of Chittenden," was read the first and second time, and referred to the committee on education.

A bill from the House of Representatives entitled "an act extending the time and continuing in force for a limited period, an act to incorporate the President, directors and company of the bank of St. Albans," was read twice and referred to the committee on banks.

The bill entitled "an act to incorporate the Franklin county steam boat company," was read the first and second time and ordered to be read the third time.

Mr. Briggs, called up the bill entitled "an act for the relief of Lois Grandy."

On motion of Mr. Pierpoint,

Ordered, that the bill be postponed indefinitely.

The Senate resumed the consideration of the bill entitled "an act ascertaining the principles on which the list of this state shall be made," &c.

Mr. Howe moved to reconsider the vote taken on Saturday, striking out, in the eleventh section of the printed bill, all after the word *belong* in the eleventh line to the period, and inserting the following: "an amount equal to six per cent on the capital employed by them;" and after debate thereon,

The Senate adjourned.

TUESDAY, NOVEMBER 3, 1836.

Mr. Young, from the committee on roads and canals, to whom was referred the petition of the centre turnpike company, reported that the prayer thereof ought not to be granted.

Mr. Palmer, from the committee on agriculture, to whom was referred a bill from the House of Representatives, entitled "an act in addition to an act entitled an act relating to the duties of inspectors of hops," &c. reported the same without amendment, and the bill was read the third time and passed.

Mr. Tenney, from the select committee, to whom was referred the resolution passed Oct. 24, directing an inquiry into "the expediency of prohibiting by law the distillation of grain," reported that it is inexpedient to pass any law on the subject.

The resolution, for an amendment of the twenty-second rule of the Senate was taken up and passed.

Mr. Hammond introduced a bill entitled "an act to incorporate the Otter creek manufacturing company," and "an act to incorporate the Vergennes hydraulic company," which were, severally, read the first and second time and referred to the committee on manufactures.

Mr. Kinsman introduced a bill entitled "an act to incorporate the Guildhall bridge company,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Van Sicklin introduced a bill entitled "an act in addition to an act entitled an act regulating town meetings and the choice and duty of town officers,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act constituting probate courts," &c. reported the bill without amendment, and the bill was read the third time and passed.

Mr. Hubbell, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act in addition to an act dividing the state into judicial districts, passed October 29, 1833," reported the same without amendment, and the bill was read the third time and passed.

Mr. Hebard, from the committee on the judiciary, to whom was referred the bill from the House of Representatives entitled "an act to settle the boundary line between the towns of Elmore and Worcester," reported that the bill ought not to pass, and the question being put "Shall the bill be read the third time?" was decided in the negative.

So the bill was rejected.

Mr. Phelps called up the bill entitled "an act regulating and governing the militia of this state," and it was read the second time.

On motion of Mr. Phelps,

Ordered, that it be laid on the table and made the order of the day for to-morrow morning.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act, to incorporate the Flower Brook manufacturing company."

"An act, incorporating the persons therein named by the name of Wait's river cotton and woolen manufacturing company."

"An act, to incorporate the Felchville satinet company."

"An act, incorporating the Montpelier north branch manufacturing company."

"An act incorporating the North Springfield manufacturing company."

Mr. Waterman called up the bill entitled "an act in addition to an act entitled an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

Mr. Porter moved that the bill be committed to a member to be amended by striking out the second section of the bill ; and the question being put, was decided in the affirmative.

Mr. Briggs moved that the committee to be appointed to make said amendment, be instructed to make a further amendment, by striking out, in the second and third lines of the proviso the words "two hun-

dred" and inserting the words "one hundred and twenty-five," and the question being put thereon, was decided in the affirmative.

Mr. Porter was appointed to make said amendments, and he reported the said bill, amended, agreeably to instructions.

Mr. Kinsman moved that the bill be laid on the table; and the question being put was decided in the negative.

The question was then stated "Shall the bill pass?" and on this question the yeas and nays having been demanded by Mr. Waterman, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Briggs, Converse, Grandy, Hammond, Henry, Howe, Keyes, Miller, Pierpoint, Phelps, Porter, Van Sicklin, White and Young—16.

Those who voted in the negative are

Messrs. Barnes, Gates, Hebard, Hubbell, Kinsman, Merrill, Palmer, Ranney, Sheldon, Smilie, Steele, Tenney, Waterman and Watson—14.

So it was decided in the affirmative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing bills of the following titles:

"An act, incorporating certain towns therein named by the name of the Franklin county asylum for the poor."

"An act, to incorporate the Barre manufacturing company," and

"An act incorporating the Windsor and Plymouth Ascutney iron company."

The house also concur in passing the bill entitled "an act incorporating the Clarendon manufacturing company," with an amendment, in which they ask the concurrence of the Senate.

The house do not concur with the Senate in passing a bill entitled "an act repealing an act to preserve fish in Willoughby lake."

The Senate resumed the consideration of the bill entitled "an act ascertaining the principles on which the list of this shall be made," &c. and the question on the amendment pending at the adjournment of the Senate was stated, and was debated until the Senate, on motion, adjourned to three o'clock this afternoon.

AFTERNOON.

Mr. Hubbell, from the committee on bills, reported that the committee have this day delivered to the governor, for his signature, bills of the following titles:

"An act, to incorporate the Williams river manufacturing company."

"An act, incorporating the Black river card company."

"An act, to incorporate the Tunbridge manufacturing company," and

"An act incorporating the Green Mountain iron company."

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled "an act to incorporate the Wells River manufacturing company," reported the same, with amendments, which were adopted, and the bill ordered to be engrossed and read the third time.

Mr. Henry, from the same committee, to whom was referred the following seven bills from the House of Representatives, reported the same as follows, viz :

"An act, to incorporate the Warren farmer's manufacturing company," and

"An act, to incorporate the Lamoille manufacturing company," without amendments, were read the third time and passed.

"An act, to incorporate the Black river marble and soap stone manufacturing company."

"An act, to incorporate the Mutual manufacturing company."

"An act, to incorporate the Rutland east creek manufacturing company," and

"An act, to incorporate the Hartland manufacturing company," were reported with amendments ; the amendments severally considered and agreed to ; and the bills, severally, read the third time and passed.

"An act to incorporate the Mills woolen company," reported with amendments, was considered ; the title amended by striking out the word *Mills* and inserting the word *Mallory*, the other reported amendments agreed to, and the bill read the third time and passed.

A bill, from the House of Representatives, entitled "an act to incorporate the Franklin county steamboat company," was read the third time and passed.

A bill, entitled "an act incorporating the Clarendon manufacturing company," was taken up, the amendments proposed by the House of Representatives were read, and

Resolved to concur therein.

A bill from the House of Representatives, entitled "an act reviving and altering an act laying a tax on the lands in Glastenbury," was read the third time and passed.

The following bills from the House of Representatives were severally read the first and second time, and referred to the committee on manufactures :

"An act to incorporate the Flower Brook manufacturing company."

"An act, incorporating the persons therein named, by the name of the Wait's river cotton and woolen manufacturing company."

"An act, to incorporate the Felchville satinnet manufacturing company."

"An act, incorporating the Montpelier north branch manufacturing company," and

"An act, to incorporate the North Springfield manufacturing company."

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution assigning a time for a joint assembly for the election of a brigadier general in the first brigade and fourth division of militia.

Mr. Henry, from the committee on manufactures, to whom was referred a bill entitled "an act to incorporate the Otter Creek company," and a bill entitled "an act to incorporate the Vergennes hydraulic company," reported the same, without amendment ; and said bills were severally ordered to be engrossed and read the third time.

The following communication was received from the agent appointed to settle the concerns of the Vermont state bank :

To the honorable Senate, now in session :

In compliance with a resolution of the Senate, requiring the agent appointed to settle the concerns of the Vermont state bank to report an inventory of the lands and other property belonging to the state, the said agent would, respectfully, refer the Hon. Senate to his report made to the general assembly, at their last session, which report contains the information required by the Senate, and will be found in the Journal of the last session, pages 108 and 109.

MILTON BROWN, Agent.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill from the House of Representatives, entitled "an act extending the limits of the jail yard in Washington county," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act to restore Jabez P. Holden to his legal rights and privileges," reported the same without amendment, with the opinion that it ought not to pass; and the question being put, "Shall the bill be read the third time?" was decided in the negative.

Mr. Briggs, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act directing leather sealers in their office," &c. reported said bill without amendment, with the opinion that it ought not to pass; and the question "Shall the bill be read the third time?" was put and decided in the negative.

Mr. Henry introduced a bill entitled "an act repealing part of an act incorporating the Bellows Falls manufacturing company," which was read the first and second time and referred to the committee on manufactures.

The said bill was reported by said committee without amendment, and was ordered to be engrossed and read the third time.

Mr. Howe, from the committee on banks, to whom was referred a bill from the House of Representatives entitled "an act extending the time and continuing in force for a limited period, an act to incorporate the President, Directors and Company of the Bank of St. Albans," reported the same without amendment.

Ordered, that it be laid on the table.

The Senate resumed the consideration of the bill entitled "an act ascertaining the principles on which the list of this state shall be made," &c, and the question pending at the adjournment on the motion of reconsideration, made by Mr. Howe on Monday evening, was put and decided in the negative, by yeas and nays as follows :

Those who voted in the affirmative are

Messrs. Barnes, Bell, Briggs, Henry, Miller, Palmer, Phelps, Porter, Steele, Tenney, Watson, White and Young—13.

Those who voted in the negative, are

Messrs. Beckwith, Converse, Gates, Grandy, Hammond, Hebard, Howe, Hubbell, Kinsman, Merrill, Pierpoint, Ranney, Sheldon, Smilie, Van Sicklin, Waterman—16.

Mr. Kinsman moved that said bill be indefinitely postponed ; and on this question the yeas and nays were taken and were as follows :

Those who voted in the affirmative are
Messrs. Beckwith, Bell, Converse, Keyes, Kinsman, Palmer, Pierpoint, Phelps—8.

Those who voted in the negative, are
Messrs. Barnes, Gates, Grandy, Hammond, Hebard, Henry, Howe, Merrill, Miller, Porter, Ranney, Sheldon, Smilie, Steele, Tenney, Van Sicklin, Waterman, Watson, White and Young—20.

So it was decided in the negative.

On motion of Mr. Steele, the word *three* in the third line of the eleventh section of the printed bill was stricken out and the word *one* inserted.

The question was then stated from the chair, "Shall the bill be engrossed and read the third time?" and on this question the yeas and nays were taken and were as follows :

Those who voted in the affirmative, are
Messrs. Barnes, Briggs, Gates, Grandy, Hebard, Howe, Keyes, Merrill, Miller, Ranney, Sheldon, Smilie, Van Sicklin, Waterman, Watson, Young—16.

Those who voted in the negative, are
Messrs. Beckwith, Bell, Converse, Hammond, Henry, Pierpoint, Phelps, Porter, Steele, Tenney, White—11.
So it was decided in the affirmative.

The Senate adjourned.

WEDNESDAY, NOVEMBER 9, 1886.

Mr. Watson presented the petition of Asa Loveland and others, which was referred to the committee on the memorial of Zacheus Bass and others.

Mr. Merrill introduced a bill entitled "an act for the security and payment of corporation debts, and directing notice to be given of all applications relating to private acts of incorporations."

Which was read the first and second time, and

On motion of Mr. Merrill,

Ordered, that it be referred to a select committee of three to be appointed by the chair.

The President thereupon appointed as such committee, Mr. Merrill, Mr. White and Mr. Kinsman.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act for the relief of Joseph Weeks," reported the same without amendment.

On motion of Mr. Sheldon.

Ordered, that the bill be laid on the table.

Mr. Pierpoint, from the committee on claims, to whom was referred a

bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," reported said bill, and it was read the second time and on motion of Mr. Briggs,

Ordered, that it be laid on the table.

The resolution from the House of Representatives assigning Thursday next at ten o'clock in the forenoon for a joint assembly for the election of a brigadier general of the first brigade and fourth division of militia was taken up, and on motion,

Resolved to concur in passing said resolution.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned," reported said bill without amendment.

On motion of Mr. Converse,

Ordered, that the bill be postponed indefinitely.

Mr. Hammond, from the committee on finance to whom was referred a bill from the House of Representatives entitled "an act compensating the superintendent of the Vermont state prison," reported the same without amendment, and the bill was read the third time and passed.

Mr. Hammond, from the same committee, to whom was referred a bill from the House of Representatives entitled "an act to repeal part of an act relating to the state prison," reported the same with the following amendment:

"Provided, that the superintendent of the said state prison shall have power to draw on the treasurer of this state for a sum not exceeding dollars, and the treasurer is hereby directed to pay the same."

On motion of Mr. Steele,

Ordered, that the blank in said proposed amendment be filled with the words *two thousand*, and that the bill be further amended by adding the following:

"Provided also that this act shall take effect from its passage."

The said amendments were agreed to and the bill was read the third time and passed.

On motion of Mr. Porter,

Ordered, that the bill entitled "an act extending the time and continuing in force, for a limited period, an act to incorporate the President, directors and company of the bank of St. Albans," be recommitted to the committee on banks.

The Senate, agreeably to order, took up the bill entitled "an act regulating and governing the militia of this state," and the same was considered as in committee of the whole, until

The Senate adjourned.

AFTERNOON.

Mr. Henry, from the committee on manufactures, to whom was referred the bill from the House of Representatives entitled "an act to incorporate the Arlington cotton and woollen manufacturing company," reported the same with an amendment, which was concurred in, and the bill read the third time and passed.

Mr. White moved that the 16th rule be amended as follows: In the fourth line after the "seargent at arms," insert the following, "*who shall*

be ex-officio door-keeper, and an assistant door-keeper, who shall be ex-officio." Strike out "a" before the word messenger in the fifth line.

Mr. Bell, from the committee to whom was referred a bill entitled "an act to prevent intemperance," and a bill entitled "an act to prohibit intemperance," reported severally, that said bills ought not to pass.

On motion of Mr. Howe,

Ordered, that said bills be laid on the table.

Mr. White introduced the following resolution :

Resolved, the House of Representatives concurring herein, that our senators in Congress be instructed and our representatives requested, to use their influence in procuring the passage of a law, suspending the duties on foreign bread stuffs of every description, during the unexampled high prices of the same in the United States.

Which was read, and

On motion of Mr. Briggs,

Ordered that it be laid on the table.

Mr. Miller introduced a bill entitled "an act incorporating the Burlington female seminary."

Which was read the first and second time and referred to the committee on education.

Mr. Bell, from the committee on education, to whom was referred a bill entitled "an act establishing a county grammar school in Richmond in the county of Chittenden," reported the same, without amendment, and the said bill was read the third time and passed.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act for the relief of the town of Swanton," reported the bill without amendment, and the bill was read the third time and passed.

Mr. Beckwith, from the committee on land taxes, to whom was referred a bill entitled "an act laying a tax on the lands in Jay," reported the same with a statement of facts, and the question, "Shall the bill be read the third time?" being put, was decided in the negative.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act in addition to an act entitled an act regulating town meetings and the choice and duty of town officers," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

Engrossed bills of the following titles were severally read the third time and passed:

"An act altering the names of certain persons."

"An act to incorporate the Otter creek manufacturing company."

"An act to incorporate the Vergennes hydraulic company."

Mr. Briggs moved that the vote taken this forenoon, postponing indefinitely the bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned," be reconsidered; and the question being put thereon, was decided in the affirmative: and the bill was

Ordered to be laid on the table.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred with the Senate in amendments to the following bills:

"An act to repeal part of an act relating to the state prison."

"An act to incorporate the Hartland manufacturing company."

"An act to incorporate the Black river marble and soap stone manufacturing company."

"An act to incorporate the Mills woollen company."

"An act to incorporate the Mutual manufacturing company," and

"An act to incorporate the Rutland east creek manufacturing company."

The house have passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act in addition to an act entitled "an act directing the judges of the supreme court to adopt a uniform system of rules, for the admission of attorneys at law."

"An act in addition to an act entitled an act authorizing the building of a state house at Montpelier."

"An act laying a tax on the lands in Troy."

"An act for the relief of John Goss."

"An act in favor of George T. Hodges."

"An act to incorporate Waitsfield and Moretown manufacturing company."

Mr. Beckwith moved that the vote taken yesterday morning, refusing to order to a third reading the bill entitled "an act to settle the boundary line between the towns of Elmore and Worcester," be reconsidered.

The said motion was laid on the table.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act regulating and governing the militia of this state," and made progress therein.

On motion of Mr. Palmer,

Ordered, that it be laid on the table.

On motion of Mr. Palmer,

Ordered, that the vote taken this afternoon, refusing to order to a third reading the bill entitled "an act laying a tax on the lands in Jay," be reconsidered.

On motion of Mr. Palmer,

Ordered, that the bill be laid on the table.

The Senate adjourned.

THURSDAY, NOVEMBER 10, 1856.

Mr. Converse, from the committee on bills, reported that the committee delivered to the governor for his approbation and signature on the ninth instant, bills of the following titles:

"An act in addition to an act entitled an act to empower the judges of the supreme court to grant bills of divorce and to repeal parts of certain acts therein mentioned, passed November 7th, 1805."

"An act incorporating certain towns therein named, by the name of the Franklin county asylum for the poor."

"An act incorporating the Windsor and Plymouth Ascutney iron company."

"An act to incorporate the Barre manufacturing company."

"An act laying a tax on the lands in Newark."

And that the committee have this day delivered to the governor for his approbation and signature, bills of the following titles:

"An act in addition to an act constituting probate courts and defining their powers and regulating the settlement of testate and intestate estates, and the guardianship of minors and insane persons."

"An act to incorporate the Franklin county steam boat company."

"An act in addition to an act relating to the appointment and duties of inspectors of hops in and for the State of Vermont."

"An act reviving and altering an act laying a tax on the town of Glazenbury."

"An act extending the limits of the jail yard in Washington county."

"An act incorporating the Clarendon manufacturing company."

"An act to incorporate the Lamoille manufacturing company."

"An act to incorporate the Warren farmer's manufacturing company."

"An act in addition to an act dividing the state into judicial districts, passed Oct. 29, 1833."

Mr. Howe, from the committee on claims, to whom was referred the bill entitled "an act directing the treasurer to pay Oramel H. Smith the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Pierpoint introduced the following resolution:

Resolved, by the Senate and House of Representatives, that the two houses will adjourn, without day, on the fifteenth day of November inst.

Which resolution was, on motion of Mr. Merrill,

Ordered to be laid on the table.

Mr. Henry, from the committee on manufactures, to whom was referred bills from the House of Representatives, of the following titles, reported the same without amendment, viz:

"An act, to incorporate the Flower brook manufacturing company."

"An act, incorporating the persons therein named by the name of the Wait's river cotton and woolen manufacturing company."

"An act, to incorporate the Felchville satinnet manufacturing company."

The said bills were severally read the third time and passed.

Mr. Henry, from the same committee, to whom was referred bills of the following titles, from the House of Representatives: "an act incorporating the Montpelier North Branch manufacturing company," and "an act incorporating the North Springfield manufacturing company," reported the same with amendments to each.

Mr. Merrill introduced a bill entitled "an act for the compensation of county clerks and sheriffs,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Beckwith, from the committee on land taxes, to whom was recommended a bill from the House of Representatives, entitled "an act laying a tax on the lands in Jay," reported the same with an amendment, which was adopted, and the bill was laid on the table.

Mr. Bell, from the committee on education, to whom was referred a bill from the House of Representatives entitled "an act incorporating

literary and scientific associations," reported the same with amendments, which were read and adopted and the bill passed.

Mr. Howe, from the committee on banks, to whom was referred the bill from the House of Representatives, extending the time of incorporation of the bank of St. Albans &c. reported the same without amendment.

On motion of Mr. Watson,

Ordered, that the bill be laid on the table.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

Mr. President : The House of Representatives have concurred with the Senate in passing bills of the following titles :

"An act, incorporating the village of Woodstock," and

"An act, incorporating the Middle falls manufacturing company."

The House of Representatives have on their part appointed a committee of conference to confer in relation to the disagreement of the two houses in the passage of a bill entitled "an act in addition to an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," rejected by the Senate on the 27th October, and have appointed, as such committee, Mr. Peck, Mr. Smith of St. Albans, and Mr. Tracy.

The motion for an alteration of the sixteenth rule of the Senate was taken up, and the question being put on the proposition to alter the said rule, was decided in the negative.

Mr. Waterman called up the bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned," and it was referred to a select committee of three, to be appointed by the chair.

The president thereupon appointed, as such committee, Mr. Merrill, Mr. Keyes and Mr. Van Sicklin.

Mr. Porter, from the committee on banks, to whom was referred the bill from the House of Representatives, entitled "an act to incorporate the Middlebury saving's bank," reported the same without amendment, and it was read a third time and passed.

The Senate, in committee of the whole, resumed the consideration of the bill entitled "an act regulating and governing the militia of this state," and the same was under consideration until

The Senate adjourned.

AFTERNOON.

Engrossed bills of the following titles were severally read the third time and passed :

"An act to incorporate the Wells river manufacturing company."

"An act, repealing part of an act incorporating the Belows falls manufacturing company."

"An act, in addition to an act entitled an act regulating town meetings and the choice and duty of town officers."

The following bills, from the House of Representatives, reported by the committee on manufactures, with amendments, were severally ta-

ken up—amended agreeably to report—read the third time and passed, viz: “an act incorporating the Montpelier north branch manufacturing company,” and “an act to incorporate the North Springfield manufacturing company.”

Bills of the following titles from the House of Representatives were severally read the first and second time and committed as follows:

“An act, in addition to an act entitled an act directing the judges of the supreme court to adopt a uniform system of rules for the admission of attorneys at law”—was referred to the committee on the judiciary.

“An act, in addition to an act entitled an act authorizing the building of a state house at Montpelier,” was referred to the committee on finance.

“An act, laying a tax on the lands in Troy,” was referred to the committee on land taxes.

“An act, for the relief of John Goss,” and “an act in favor of George T. Hodges,” were referred to the committee on claims.

“An act, to incorporate Waitsfield and Moretown manufacturing company,” was referred to the committee on manufactures.

Mr. Henry called up the bill entitled “an act to incorporate the Brattleboro’ manufacturing company,” and it was ordered to be engrossed and read the third time.

Mr. Howe called up the bill entitled “an act in addition to an act entitled an act to prevent forcible entry and detainer, passed Feb. 27, 1797,” and it was considered as in committee of the whole, and amended, and the bill was reported to the Senate, and the amendment concurred in, and the bill ordered to be engrossed and read the third time.

Mr. Briggs moved to reconsider the vote taken this morning, refusing to adopt the amendment to the sixteenth rule of the Senate, proposed by Mr. White and stated on the journal of yesterday, and the question being put, was decided in the affirmative.

The question then recurred, “Will the Senate adopt the amendment to the sixteenth rule as proposed?” which being put, was decided in the affirmative.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have passed a bill entitled “an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state.”

The house do not concur with the Senate in passing the following bills:

An act directing the appointment of a surveyor general and county surveyors and regulating their office and duty,” and

“An act regulating elections.”

The Senate as in committee of the whole, resumed the consideration of the bill entitled “an act regulating and governing the militia of this state,” and the same was amended, and Mr. Young reported the bill to the Senate as amended, and the amendments were concurred in.

The Senate adjourned.

FRIDAY, NOVEMBER 11, 1896.

Mr. Watson presented the memorial of Joseph Parker and others, which was referred to the committee on the memorial of Zacheus Bass and others.

Mr. Hammond, from the committee on finance, to whom was referred a bill from the House of Representatives entitled "an act in addition to an act entitled an act authorizing the building of a state house at Montpelier," reported the same without amendment.

The said bill was read the third time and passed.

Mr. Beckwith, from the committee on land taxes, to whom was referred a bill from the House of Representatives, entitled "an act laying a tax on the lands in Victory," reported the said bill, and it was read the third time and passed.

Mr. Beckwith, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act laying a tax on the lands in Troy," reported that the petitioners for said tax have not complied with the law in relation to notice; and therefore the bill ought not to pass.

And the question "Shall the bill be read the third time?" being put, was decided in the negative.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled "an act in addition to an act entitled an act directing the judges of the supreme court to adopt a uniform system of rules for the admission of attorneys at law," reported said bill without amendment.

And the question, "Shall the bill be read the third time?" being put, was decided in the negative.

Mr. Henry, from the committee on manufactures, to whom was referred a bill from the House of Representatives, entitled "an act to incorporate the Waitsfield and Moretown manufacturing company," reported the same without amendment; and it was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act for the compensation of clerks of counties and sheriffs," reported the same without amendment; the said bill was amended, and ordered to be engrossed and read the third time.

Mr. Steele introduced a bill entitled "an act incorporating the Otterquechee manufacturing company," which was read the first and second time and referred to the committee on manufactures.

Mr. Steele called up the bill entitled "an act extending the time and continuing in force for a limited period, an act to incorporate the President, Directors and company of the bank of St. Albans," and the same was considered as in committee of the whole; and no amendments being adopted, Mr. Pierpoint reported the bill to the Senate.

Mr. Waterman moved to amend the bill by adding thereto the following:

"It is hereby further enacted, That the corporation shall not issue any bank bill or note, of a less denomination than five dollars, from and after the first day of January, one thousand eight hundred and forty."

And on the question "Shall the amendment be adopted?" the yeas and nays having been demanded by Mr. Waterman, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Barnes, Merrill, Smilie, Waterman and Watson—5.

Those who voted in the negative are
Messrs. Beckwith, Bell, Briggs, Converse, Grandy, Hammond, Henry, Howe, Hubbell, Keyes, Miller, Palmer, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, Tenney, Van Sicklin, White and Young—22.

So it was decided in the negative.

The bill was then read the time ; and

The question was stated from the chair, " Shall the bill pass ?" and on this question, the yeas and nays having been demanded by Mr. Phelps, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Briggs, Converse, Grandy, Howe, Hubbell, Keyes, Palmer, Phelps, Porter, Sheldon, Steele, White and Young—15.

Those who voted in the negative, are

Messrs. Barnes, Hammond, Henry, Merrill, Miller, Pierpoint, Ranney, Smilie, Tenney, Van Sicklin, Waterman and Watson—12.

So it was decided in the affirmative.

A bill from the House of Representatives, entitled " an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," was read the first and second time and referred to the committee on finance.

The engrossed bill entitled " an act in addition to an act entitled an act to prevent forcible entry and detainer, passed Feb. 27, 1797," was read the third time, and debated ; and before any question was taken thereon,

The Senate adjourned.

AFTERNOON.

Mr. Henry, from the committee on manufactures, to whom was referred the bill entitled " an act incorporating the Otterquechee manufacturing company," reported the same without amendment.

Ordered that it be engrossed and read the third time.

The engrossed bill entitled " an act to incorporate the Brattleboro' manufacturing company," was read the third time and passed.

The engrossed bill entitled " an act ascertaining the principles on which the list of this state shall be made and directing listers in their office and duty," was taken up and read the third time, and on the question " Shall the bill pass ?" the yeas and nays having been demanded by Mr. Waterman, were taken and were as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Grandy, Hebard, Howe, Merrill, Miller, Ranney, Sheldon, Smilie, Van Sicklin, Waterman, White and Young—13.

Those who voted in the negative, are

Messrs. Beckwith, Bell, Converse, Henry, Keyes, Kinsman, Palmer, Pierpoint, Phelps, Porter, Steele and Tenney—12.

So it was decided in the affirmative.

Mr. Merrill, from the select committee to whom was referred a bill entitled "an act for the security and payment of corporation debts and directing notice to be given on applications relating to private acts of incorporation," reported the same with amendments, and the bill was considered as in committee of the whole.

On motion of Mr. Pierpoint,

Ordered, that it be laid on the table.

The Senate resumed the consideration of the bill entitled "an act regulating and governing the militia of this state," and on the question, "Shall the bill be engrossed and read the third time?" the yeas and nays having been demanded by Mr. Pierpoint, were taken and were as follows:

Those who voted in the affirmative, are

Messrs. Beckwith, Bell, Briggs, Grandy, Hebard, Howe, Hubbell, Keyes, Kinsman, Merrill, Phelps, Porter, Sheldon, Smilie, Tenney, Van Sicklin, Waterman, White and Young—19.

Those who voted in the negative, are

Messrs. Converse, Henry, Miller, Pierpoint, Ranney and Steele—6.

So it was decided in the affirmative.

Mr. Ranney called up the bill entitled "an act relating to innkeepers, and for regulating the sale of wines and distilled spirituous liquors," and the same was considered as in committee of the whole.

Mr. Pierpoint moved that said bill be recommitted to the committee who reported it, and the question being put, was decided in the affirmative.

Mr. Kinsman called up the bill entitled "an act directing the treasurer of this state to pay Peter Nichols the sum therein mentioned."

On motion of Mr. Briggs,

Ordered, that it be laid on the table.

Mr. Grandy called up the resolution introduced by him on the 21st ult. relative to instructing members of congress on the subject of the abolition of slavery in the district of Columbia.

On motion of Mr. Ranney,

Ordered, that it be laid on the table, and made the order of the day for to-morrow afternoon.

Mr. Bell called up the bill entitled "an act to prevent circus riding and theatrical exhibitions," and the same was considered as in committee of the whole and amended, the bill reported to the Senate and the amendments concurred in.

Ordered, that the bill be engrossed and read the third time.

A resolution from the House of Representatives:

Resolved, the Senate concurring herein, that the members of the county of Windham meet in county convention on Saturday morning the 12th of Nov. instant at seven o'clock A. M. for the purpose of nominating a high bailiff for said county in the room and stead of Calvin Townsley resigned, and that both houses meet in joint assembly in the representatives' hall, at half past ten o'clock on said day to elect some person to fill said office.

Which being read, resolved to concur therein.

The Senate resumed the consideration of the bill entitled "an act in

addition to an act to prevent forcible entry and detainer, passed Feb. 27, 1797."

On motion of Mr. Porter,

Ordered, that it be laid on the table.

The engrossed bill entitled "an act for the compensation of county clerks and sheriffs," was read the third time and passed.

Mr. Young called up the bill entitled "an act in addition to an act to prevent forcible entry and detainer," &c.

On motion of Mr. Briggs,

The Senate adjourned.

SATURDAY, NOVEMBER 12, 1836.

Mr. Sheldon, from the committee on education, to whom was referred a bill entitled "an act incorporating the Burlington female seminary," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

The said bill, having been engrossed, was read the third time and passed.

Mr. Henry introduced a bill entitled "an act repealing part of an act allowing endorsees to maintain actions in their own names,"

Which was read the first and second time, and referred to the committee on the judiciary.

Engrossed bills of the following titles, were, severally, read the third time and passed:

"An act to prevent circus riding and theatrical exhibitions."

"An act incorporating the Otterquechee manufacturing company."

Mr. Watson called up a bill entitled "an act relating to protests of inland bills of exchange and promissory notes and the fees of notaries public," and the question, "Shall the bill be engrossed and read the third time?" being put, was decided in the negative.

Mr. Beckwith, from the committee on land taxes, to whom was referred a bill from the House of Representatives entitled "an act laying a tax on the lands in Newport," reported that the bill ought not to pass.

Ordered, that it be laid on the table.

Mr. Hubbell called up the bill from the House of Representatives entitled "an act for the relief of Joseph Weeks," and it was read the third time and passed.

Mr. Hammond introduced a bill entitled "an act relating to the public buildings," which was read the first and second time and referred to the committee on finance.

Mr. Heberd, from the committee on the judiciary, to whom was referred a bill entitled "an act to incorporate the Guildhall bridge company," reported the same without amendments.

Ordered, that it be laid on the table.

Mr. Converse called up the bill entitled "an act in addition to an act to prevent forcible entry," &c.

On motion of Mr. Briggs,

Ordered, that the bill be recommitted to the committee on the judiciary.

Mr. Hebard, from the committee on the judiciary, to whom was referred a bill from the House of Representatives entitled "an act to incorporate the Norwich and Hartford rail road forwarding company," reported the same without amendment, and the bill was read the third time and passed.

The resolution, reported by Mr. Watson, from the committee on education, as stated on the journal of the 7th inst. was taken up, read and passed.

The Senate took up the bill entitled "an act relating to highways," and it was considered as in committee of the whole and amended, and reported to the Senate—the amendments concurred in, and the bill ordered to be engrossed and read the third time.

The bill entitled "an act in relation to common schools," was ordered to be engrossed and read the third time.

The Senate, as in committee of the whole, resumed the consideration of a bill entitled "an act in relation to contested elections," and while considering the same, with proposed amendments,

On motion of Mr. Waterman,

Ordered, that the bill and amendments be laid on the table.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, that the President of the Senate and the Speaker of the House of Representatives close the present session of the legislature, by adjournment of their respective houses, on Thursday the seventeenth instant, at five o'clock in the morning.

Mr. Sheldon moved that the said resolution be laid on the table, and on this question, the yeas and nays, having been demanded by Mr. Briggs, were taken, and were as follows :

Those who voted in the affirmative, are

Messrs. Beckwith, Bell, Grandy, Hubbell, Merrill, Palmer, Sheldon, Van Sicklin, Waterman, Watson and White—11.

Those who voted in the negative, are

Messrs. Barnes, Briggs, Converse, Hebard, Henry, Howe, Keyes, Miller, Pierpoint, Porter, Ranney, Smilie, Steele, Tenney and Young—15.

Mr. Sheldon, moved to amend said resolution by striking out the word *Thursday* and inserting the word *Friday* ; and the question thereon being put, was decided in the negative.

The question "Will the Senate concur with the house in passing said resolution?" was then put, and

It was decided in the affirmative.

The Senate adjourned.

AFTERNOON.

Mr. Merrill, from the select committee, to whom was referred a bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned," reported the same with an amendment.

On motion of Mr. Sheldon,
Ordered, that the bill be laid on the table.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act relating to the public buildings," reported the same with amendments, and it was considered as in committee of the whole, and amended—and the bill was reported to the Senate, and the amendments concurred in, and

Ordered, that the bill be engrossed and read the third time.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing bills of the following titles:

"An act, concerning the duties of sundry state officers."

"An act, incorporating the Great Falls manufacturing company."

"An act, to incorporate the Farmer's manufacturing company at East Bethel."

"An act, to incorporate the Castleton manufacturing company."

"An act, incorporating Salisbury manufacturing company."

"An act, relating to notes and bills of exchange."

The House have passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act, assessing a tax for the support of government."

"An act, making appropriation for the support of government."

"An act, for the relief of John Ide and Nathaniel Cobb 2d."

"An act, relating to mileage of members of the general assembly."

"An act, establishing permanent salaries for certain officers."

"An act, to pay Oliver Kenney the sum therein mentioned."

"An act, directing the treasurer to pay George W. Ordway the sum therein mentioned."

"An act, directing the treasurer to pay Ferrand F. Merrill the sum therein mentioned."

"An act, in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt."

"An act, directing the treasurer to pay Ebenezer C. Barton the sum therein mentioned."

"An act, laying a tax on the lands in Brunswick."

"An act, incorporating the Sunderland lead mining and manufacturing company."

"An act, to incorporate the Marshfield cotton and woolen manufacturing company."

"An act, in addition to and in amendment of an act incorporating the Vermont mutual fire insurance company."

"An act, more effectually to prevent gambling within this state."

"An act, establishing a county grammar school in the county of Lamoille and town of Johnson, and appropriating the rents and profits of the grammar school lands in said county to the use of said school."

Mr. Briggs, from the committee on the judiciary, to whom was recommended the bill entitled "an act in addition to an act to prevent forcible entry and detainer, &c.," reported the same with amendments, which were concurred in, and the bill passed, as amended.

On motion of Mr. Hammond,

Ordered, that when the Senate adjourn, it will adjourn to half past six o'clock this evening.

Mr. Young, from the committee on roads and canals, to whom was referred a bill entitled "an act relating to the transfer of turnpike stock to towns," reported the same without amendment.

Ordered, that the bill be engrossed and read the third time.

A bill from the House of Representatives, entitled "an act laying a tax on the lands in Jay," was read the third time and passed.

Mr. Henry, from the committee on manufactures, instructed by resolution of the 27th ult. to inquire into the expediency of encouraging the manufacture of silk goods—reported that no sufficient progress has yet been made in the growing of silk, to render any legislation on the subject, at the present time, necessary.

Mr. Grandy, called up the resolution introduced by him on the 21st ultimo, and the following amendment, proposed by Mr. Smilie, was accepted by the mover and added to the resolution: "if it can be done in a constitutional and legal manner, and without increasing the burdens and distresses now endured by the slaves in the adjoining states."

Mr. Young moved that the words in the clause aforesaid "*in a constitutional and legal manner, and*"—be stricken out, and the question being put, was decided in the negative.

Mr. Ranney moved to amend the resolution by erasing all after the words *herein* and inserting the following:

"That congress possess the constitutional power and ought, in justice to enslaved and suffering humanity, to abolish slavery in the district of Columbia."

Mr. Porter moved to amend the amendment proposed by Mr. Ranney, by adding thereto the following:

"Whenever the same can be done constitutionally with the rights of the slaveholder, and without increasing the burdens of those who are held in servitude."

And the question being put thereon, was decided in the negative.

Mr. Henry moved to amend the amendment proposed by Mr. Ranney by adding thereto the following:

"Whenever the same can be done without jeopardizing the peace of the country."

And the question, being put thereon, was decided in the negative.

Mr. Pierpoint moved that said resolution and proposed amendments be laid on the table; on this question the yeas and nays were taken.

Those who voted in the affirmative, are

Messrs. Barnes, Beckwith, Hammond, Henry, Howe, Keyes, Merrill, Palmer, Pierpoint, Porter, Sheldon, Smilie, Steele, Waterman, White, Young—17.

Those who voted in the negative, are

Messrs. Bell, Briggs, Hebard, Ranney, Tenney, Van Sicklin—6.

So it was decided in the affirmative.

A message from the House of Representatives by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles in which they ask the concurrence of the Senate, viz:

"An act, making an appropriation to the Vermont asylum for the insane."

"An act, authorizing the treasurer to borrow the sum therein mentioned."

"They have also passed the following resolution, in which they ask the concurrence of the Senate, viz :

"Resolved, the Senate concurring herein, that his excellency the governor be, and he is hereby authorized to solicit and effect with the different states in the Union, an exchange of the journals of the proceedings of the legislatures of this and other states.

Mr. Van Sicklin introduced a bill entitled "an act providing for the safe keeping of probate records."

Which was read the first and second time, and referred to the committee on finance.

The following bills from the House of Representatives were, severally, read the first and second time, and referred as follows :

"An act, assessing a tax for the support of government."

"An act, making appropriations for the support of government," and

"An act, for the relief of John Ide and Nathaniel Cobb 2d,"

Were severally referred to the committee on finance.

The following bills were referred to the committee on claims :

"An act, relating to mileage of members of the general assembly."

"An act, establishing permanent salaries for certain officers."

"An act, directing the treasurer to pay George W. Ordway the sum therein mentioned."

"An act, directing the treasurer to pay Ferrand F. Merrill the sum therein mentioned."

Bills of the following titles, to wit :

"An act, in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt,"

"An act, directing the treasurer to pay Oliver Kenney,"

"An act, directing the treasurer to pay Ebenezer C. Barton the sum therein mentioned," and

"An act, in addition to and in amendment of an act incorporating the Vermont mutual fire insurance company,"

Were referred to the committee on the judiciary.

A bill, entitled

"An act, laying a tax on the lands in Brunswick," was referred to the committee on land taxes.

The following bills were referred to the committee on manufactures, to wit :

"An act, incorporating the Sunderland lead mining and manufacturing company," and

"An act, to incorporate the Marshfield cotton and woolen manufacturing company."

The Senate adjourned.

EVENING.

The following bills, from the House of Representatives, were severally read the first and second time, and referred as follows :

"An act, more effectually to prevent gambling," was referred to the committee on the memorial of Zacheus Bass and others.

"An act, establishing a county grammar school in the county of Lamoille," was referred to the committee on the judiciary.

"An act, making an appropriation to the Vermont asylum for the insane," and

"An act, authorizing the treasurer to borrow the sum therein mentioned,"

Were referred to the committee on finance.

Mr. Hammond, from the committee on finance, to whom was referred a bill from the House of Representatives entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," reported said bill with amendments, and submitted a* report supporting the amendments proposed.

On motion of Mr. Pierpoint,

Ordered, that the bill be laid on the table and made the order of the day for Monday afternoon.

Mr. Pierpoint moved that five hundred copies of said bill and report be printed for the use of the Senate, and on this question, the yeas and nays having been demanded by Mr. Hebard, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Briggs, Converse, Hammond, Henry, Howe, Miller, Pierpoint, Porter, Steele, Van Sicklin, White and Young—14.

Those who voted in the negative, are

Messrs. Barnes, Grandy, Hebard, Hubbell, Keyes, Merrill, Palmer, Ranney, Sheldon, Smilie, Tenney, Waterman and Watson—13.

So it was decided in the affirmative.

The Senate adjourned.

MONDAY, NOVEMBER 14, 1836.

Mr. Converse called up the message, from the House of Representatives, communicated to the Senate on the 10th instant, on the subject of a committee of conference, as stated on the journal of that day.

Mr. Pierpoint introduced the following resolution:

Whereas, the House of Representatives, on the 24th day of October, 1836, passed a bill entitled "an act in addition to an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," and transmitted the same to the Senate; and the Senate, on the 27th day of October, non-concurred in the passage of said bill, and on the tenth day of November inst., the House of Representatives, by message, requested a conference on the subject, and informed the Senate that the House of Representatives had appointed a committee on its part, for that purpose—therefore,

Resolved, that the House of Representatives be informed, by message, that the Senate consider there is no matter relating to said bill, requiring the action of either house, and therefore, respectfully, decline a conference.

*See appendix.

And on the question, "Shall the resolution pass?" the yeas and nays were taken, and were as follows:

Those who voted in the affirmative are

Messrs. Bell, Briggs, Hammond, Henry, Howe, Keyes, Merrill, Palmer, Pierpoint, Porter, Ranney, Steele, Tenney, Van Sicklin, Watson and White—16.

Those who voted in the negative are

Messrs. Barnes, Converse, Grandy, Hebard, Hubbell, Miller, Sheldon, Smilie, Waterman and Young—10.

So it was decided in the affirmative.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled "an act in addition to and in amendment of an act incorporating the Vermont Mutual Fire Insurance company," reported the same without amendment, and it was read the third time and passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act, to authorise the several county courts, in this state, to allow the accounts of land tax committees, in cases therein mentioned."

"An act, dividing the funds arising from the grammar school lands in the county of Orleans."

"An act, in favor of Caledonia county grammar school, at Lyndon."

They have also passed a resolution relative to publishing the constitution as amended.

The house have concurred with the Senate, in passing bills of the following titles:

"An act, incorporating the Burlington female seminary."

"An act, to incorporate the Otter creek manufacturing company."

"An act, to incorporate the Vergennes hydraulic company."

"An act, to incorporate the Wells river manufacturing company."

"An act, incorporating the Otterquechee manufacturing company."

"An act, altering the names of certain persons."

They have also concurred with the House of Representatives, in passing a bill entitled "an act for compensating county clerks and sheriffs," with an amendment.

The said bill was taken up and the amendments made by the House of Representatives concurred in.

Mr. Hebard called up the bill entitled "an act incorporating the Guildhall bridge company," and it was amended in pursuance of the report of the committee who reported the bill, and laid on the table.

Mr. Young introduced a bill entitled "an act authorizing a division of the public lands in the town of Lowell,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill from the House of Representatives entitled "an act relating to mileage of members of the general assembly," reported that said bill ought to be amended by adding thereto the following:

"Provided that this act shall take effect from the passage thereof."

Which amendment was concurred in by the Senate, and the bill, as amended, was read the third time and passed.

Mr. Van Sicklin, from the committee to whom was referred a bill entitled "an act providing for the safe keeping of probate records," reported the same without amendments—and the question "Shall the bill be engrossed and read the third time?" being put, was decided in the negative.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill from the House of Representatives, entitled "an act establishing permanent salaries for certain officers," reported the bill with the following amendments, viz :

In the first section, in the 16th line, after the word "hundred," add the words *and seventy-five*.

In the 17th line, after the word "hundred," add the words *and fifty*.

In the 19th line, strike out the word "one," and insert the word *two*.

In the 23d line, insert, after the word "hundred," the words *and fifty*.

In the third section, in the fifth line, strike out the word "six," and insert the word *ten*.

Add to the bill the following :

"Provided, that this act shall take effect from the passage thereof."

Which amendments were severally concurred in.

On motion of Mr. Sheldon,

Ordered, that said bill be committed to the committee on claims.

Mr. Hammond, from the committee on finance, to whom was referred the following bills :

"An act, assessing a tax for the support of government,"

"An act, making appropriations for the support of government," and

"An act, authorizing the treasurer to borrow the sum therein mentioned,"

Reported the same without amendment, and they were severally read the third time and passed.

Mr. Bell, from the committee to whom was referred a bill from the House of Representatives entitled "an act more effectually to prevent gambling within this state," reported the same without amendment.

On motion of Mr. Hubbell,

Ordered, that it be laid on the table.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill from the House of Representatives, entitled "an act directing the treasurer to pay Ferrand F. Merrill the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Steele, from the committee on finance, to whom was referred a bill from the House of Representatives, entitled "an act making an appropriation to the Vermont asylum for the insane," reported the same without amendment, and it was read the third time and passed.

Mr. Henry, from the committee on manufactures, to whom was referred bills from the House of Representatives, entitled "an act incorporating the Sunderland lead mining and manufacturing company," and a bill entitled "an act to incorporate the Marshfield cotton and woolen

manufacturing company," reported said bills with amendments to each, which were severally adopted, and the bills were read the third time and passed.

Engrossed bills of the following titles were severally read the third time and passed :

- "An act, relating to highways."
- "An act, relating to the transfer of turnpike stock to towns."
- "An act, relating to the public buildings."
- "An act, in relation to common schools."

The following bills from the House of Representatives, were severally read the first and second time and referred to the committee on education, viz :

- "An act, in favor of Caledonia county grammar school, at Lyndon," and
- "An act, dividing the funds arising from the grammar school lands in the county of Orleans."

A bill from the House of Representatives, entitled "an act to authorize the several county courts in this state, to allow the accounts of land tax committees in certain cases therein mentioned," was read the first and second time and ordered to be read the third time.

The following resolution, from the House of Representatives, was read the first and second time, and referred to the committee on the judiciary :

Resolved, by the Senate and House of Representatives, that the secretary of state be directed to cause to be printed, with the laws of the present session, the constitution of this state, as amended.

The Senate adjourned.

AFTERNOON.

Mr. Hubbell, from the joint committee on bills, reported that said committee have, on this day, delivered to the governor for his approbation and signature, bills of the following titles :

- "An act, concerning the duties of sundry state officers."
- "An act, relating to notes and bills of exchange."
- "An act, to incorporate the Castleton manufacturing company."
- "An act, altering the term of the supreme court in Chittenden county."
- "An act, incorporating Salisbury manufacturing company."
- "An act, incorporating the Great Falls manufacturing company."
- "An act, laying a tax on the lands in Victory."
- "An act, to incorporate the Norwich and Hartford rail-road forwarding company."
- "An act, to incorporate the Waitsfield and Moretown manufacturing company."
- "An act, for compensating county clerks and sheriffs."
- "An act, for the relief of Joseph Weeks."
- "An act, in addition to an act entitled an act authorizing the building of a state house at Montpelier."
- "An act, extending the time and continuing in force for a limited period an act to incorporate the President, directors and company of the bank of St. Albans."

Mr. Briggs introduced the following resolution :

Resolved, that the Senate reconsider the vote passed by the Senate, on Saturday last, upon the resolution appointing a time for both houses to adjourn.

Which was read, and

Ordered, that it be laid on the table.

Mr. Hammond, from the committee on finance, to whom was referred the following bills from the House of Representatives :

"An act for the relief of Enoch Hall, Levi Hall and Nath'l Hall,"

"An act for the relief of Davis Cutting," and

"An act for the relief of John Ide and Nathaniel Cobb, 2d."

Reported the same without amendment, and the said bills were, severally, read the third time and passed.

The Senate took up the resolution from the House of Representatives, relating to an exchange of journals, stated on the journal of Saturday last.

On motion of Mr. Briggs,

Ordered, that the resolution be amended by adding thereto the following—"and that the exchange consist of three copies of the journals to each state."

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill, from the House of Representatives, entitled "an act establishing a county grammar school in the county of Lamoille," &c. reported said bill without amendment, and it was read the third time and passed.

The following bills were ordered to be engrossed and read the third time :

"An act, directing the treasurer to pay the town of Sutton the sum therein mentioned,"

"An act, directing the treasurer to pay Abner Harris the sum therein mentioned," and

"An act, directing the treasurer to pay Peter Nichols the sum therein mentioned."

A message from the House of Representatives, by Mr. Buck, their assistant clerk : announcing that the house have passed resolutions fixing a time for a joint assembly, for the election of first assistant justice in the county of Grand Isle in the place of John M. Sowles, who has resigned, and a sheriff of said county in the place of Henry H. Reynolds, resigned, and for the election of a brigadier general in the first brigade and first division, to supply the vacancy occasioned by the resignation of brigadier general Stephen P. Flagg.

The Senate, as in committee of the whole, took up the bill from the House of Representatives entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," and the same was under consideration, when

The Senate adjourned to half past six o'clock, this evening.

EVENING.

Resolutions, from the House of Representatives, assigning a time for a joint assembly for the appointment of an assistant justice and a sheriff in the county of Grand Isle, and for the election of a brigadier general in the first brigade and first division of the militia, were, severally, read and passed.

Mr. Porter introduced the following resolution :

Resolved, that the vote taken, this day, on the passage of a bill entitled "an act in relation to common schools," be reconsidered.

Which was read and laid on the table.

Mr. Young, from the committee, to whom was referred a bill entitled "an act relating to innkeepers and for regulating the sale of wines and distilled spiritous liquors," reported the same, without an amendment.

On motion of Mr. Briggs,

Ordered, that the bill and amendments be laid on the table.

The Senate resumed the consideration of the bill from the House of Representatives entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," and the same was debated until

The Senate adjourned.

TUESDAY, NOVEMBER 15, 1836.

A bill, from the House of Representatives, entitled "an act to authorize the several county courts in this state to allow the accounts of land tax committees in certain cases therein mentioned," was read the third time and passed.

Mr. Phelps introduced a bill entitled "an act for the preservation of fish in the waters of the Ascotney reservoir," which was read the first and second time and ordered to be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a resolution from the House of Representatives, relating to the publication of the constitution, as amended, reported the said resolution without amendment, and it was engrossed, read the third time, and

Resolved to concur therein.

Mr. Hubbell, from the joint committee on bills, reported that the committee have this day delivered to the governor, for his approbation and signature, a bill entitled "an act to incorporate the farmer's manufacturing company, at east Bethel."

Mr. Beckwith, from the committee on land taxes, to whom was referred a bill from the House of Representatives entitled "an act laying a tax on the lands in Brunswick," reported that the bill ought not to pass.

The question, "Shall the bill be read the third time?" being put, was decided in the negative.

The engrossed bill entitled "an act directing the treasurer to pay Peter Nichols the sum therein mentioned," was read the third time.

On motion of Mr. Hebard,

Ordered, that the bill be recommitted to the committee on claims with instructions to amend the bill by inserting the exact sum paid by said Peter Nichols.

Mr. Pierpoint, from the said committee, reported said bill amended, agreeably to instructions.

The engrossed bill entitled "an act directing the treasurer to pay Abner Harris the sum therein mentioned," was read the third time.

On motion of Mr. Palmer,

Ordered, that the bill be laid on the table.

The Senate resumed the consideration of the bill entitled "an act directing the treasurer to pay Peter Nichols the sum therein mentioned," and the question being stated from the chair, "Shall the bill pass?" was decided by yeas and nays, as follows:

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Grandy, Hebard, Henry, Keyes, Kinsman, Merrill, Palmer, Phelps, Sheldon, Smilie, Van Sicklin, Waterman, Watson, White and Young—17.

Those who voted in the negative are

Messrs. Barnes, Briggs, Converse, Hammond, Howe, Miller, Pierpoint, Steele, Tenney—9.

So it was decided in the affirmative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred with the Senate in passing the following bills:

"An act to incorporate the Brattleboro' manufacturing company," and

"An act to prevent circus riding and theatrical exhibitions."

They have passed a bill entitled "an act relating to the duties of constables in the county of Lamoille, and providing for the executing certain precepts in the hands of officers on the first day of December next."

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act in favor of John S. Pettibone and Isaac Fletcher," reported a bill entitled "an act directing the auditor to audit a certain account,"

Which was read the first and second time and laid on the table.

On motion of Mr. Pierpoint,

Ordered, that the hour for the meeting of the Senate in the morning, during the remainder of the session, be eight o'clock.

The Senate adjourned.

AFTERNOON.

Mr. Briggs called up the resolution introduced by him on the 14th inst., for reconsidering the vote, passed by the Senate, on Saturday last, upon the resolution appointing a time for both houses to adjourn.

And the said resolution was read and passed.

Mr. Briggs moved that the words "*Thursday the 17th*," be stricken

out of the resolution for adjournment, and the words "*Friday the 18th*," inserted.

Mr. Sheldon moved that the resolution be laid on the table; and the question being put thereon was decided in the negative.

The question recurred on the amendment proposed by Mr. Briggs, and being put, it was decided in the affirmative, and the said resolution passed as amended.

Mr. Pierpoint, from the committee on claims, to whom was referred the bill entitled "an act directing the treasurer to pay Eliphalet Hewett the sum therein mentioned," reported the bill with an amendment, which was concurred in, and the bill ordered to be engrossed and read the third time.

Mr. Howe, from the committee on claims, to whom was recommitted the bill entitled "an act in favor of John S. Pettibone and Isaac Fletcher," reported the same without amendment.

On motion of Mr. Briggs,

Ordered, that it be laid on the table.

Mr. Phelps, from the committee on military affairs, reported a bill entitled "an act for the distribution of ordnance,"

Which was read the first and second time and ordered to be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled "an act to pay Oliver Kenney the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the same committee, to whom was referred the bill entitled "an act authorising a division of the public lands, in the town of Lowell," reported the same without amendment; and it was read the first and second time.

Ordered, that it be engrossed and read the third time.

Mr. Howe, from the committee on claims, to whom was recommitted the bill entitled "an act establishing permanent salaries for certain officers," reported the same with the following amendments, viz:

In the first section,

In the 14th line, after the word "*hundred*," insert the words "*and fifty*."

In the fourth section,

In the third line, strike out the word "*fifty*," and insert the words "*one hundred*."

At the end of the fourth section, add the words "payable, one half at the rising of the general assembly, and the other half on the first day of October."

Mr. Sheldon moved to amend the first proposed amendment in the fourteenth line of the first section, by substituting, for the words, "*three hundred and fifty*," the words "*four hundred*," and the question being taken thereon was determined in the affirmative.

The question being put on the amendments proposed by the committee, as amended, was decided in the affirmative.

On motion of Mr. Pierpoint,

The said bill was further amended in the 26th line of the first section, by striking out the word "*fifty*," and inserting the words "*seventy-five*."

The bill was then ordered to be read the third time, as amended; and

It was read the third time and passed.

Mr. Converse, from the joint committee on bills, reported that the committee have this day presented to the governor, for his approbation and signature, bills of the following titles :

"An act, establishing a grammar school in the county of Lamoille," &c.

"An act, for the relief of Davis Cutting."

"An act, for the relief of John Ide and Nathaniel Cobb 2d."

"An act, for the relief of Enoch Hall, Levi Hall and Nathaniel Hall."

"An act, to incorporate the Burlington female seminary."

"An act, to incorporate the Wells river manufacturing company."

"An act, to incorporate the Vergennes hydraulic company."

"An act, incorporating the Otter creek manufacturing company."

"An act, altering the names of certain persons."

"An act incorporating the Otterquechee manufacturing company."

"An act, authorizing the treasurer to borrow the sum therein named."

"An act, in addition to and in amendment of an act incorporating the Vermont mutual fire insurance company."

"An act, making an appropriation to the Vermont asylum for the insane."

"An act, assessing a tax for the support of government."

"An act, making appropriation for the support of government."

"An act, directing the treasurer to pay Ferrand F. Merrill the sum therein mentioned."

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act, to locate the county buildings in the county of Franklin."

"An act, authorizing the removal of the Essex county grammar school at Guildhall, to a new location."

"An act, in addition to an act entitled "an act to provide for the support of common schools."

The Senate, as in committee of the whole, resumed the consideration of the bill from the House of Representatives, entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," and amendments were offered—when

On motion of Mr. Sheldon,

Ordered, that the bill and amendments be referred to the committee on the judiciary.

The judiciary committee, to whom was referred the bill entitled "an act repealing part of an act allowing endorsees to maintain actions in their own names," reported the same with amendments, which were adopted, and the bill ordered to be engrossed and read the third time.

The bill entitled "an act regulating and governing the militia of this state," was read the third time.

On motion of Mr. Pierpoint,

Ordered, that when the Senate adjourn, it will adjourn to meet at half past six o'clock this evening.

Mr. Beckwith asked leave of absence for Mr. Gates from the services of the Senate from and after to-day, which was granted.

The Senate adjourned.

EVENING.

Bills, from the House of Representatives, of the following titles were, severally, read the first and second time and ordered as follows :

"An act, relating to the duties of constables in the county of Lamoille," &c. was referred to the committee on the judiciary.

"An act, to locate the county buildings in the county of Franklin," was referred to a committee of three to be appointed by the chair.

And thereupon the President appointed, as such committee, Mr. White, Mr. Merrill and Mr. Pierpoint.

"An act, authorising the removal of the Essex county grammar school at Guildhall, to a new location," was ordered to be read the third time.

"An act, in addition to an act entitled an act in addition to an act to provide for the support of common schools," was referred to the committee on education."

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed a bill entitled "an act appropriating the sum therein mentioned for making certain surveys."

They have concurred in the amendments proposed by the Senate to the joint resolution respecting the exchange of journals.

The Senate resumed the consideration of the bill entitled "an act regulating and governing the militia of this state," and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Converse, were taken, and were as follows :

Those who voted in the affirmative are
Messrs. Barnes, Henry, Hubbell, Merrill, Miller, Phelps, Porter, Smilie, Tenney, Waterman, White and Young—12.

Those who voted in the negative are
Messrs. Converse, Grandy, Hammond, Howe, Pierpoint, Ranney, Steele, Van Sicklin—8.

So it was decided in the affirmative.

A bill from the House of Representatives, entitled "an act appropriating the sum therein mentioned for making certain surveys," was read the first and second time and referred to the committee on roads and canals.

Mr. Pierpoint, from the committee on claims, to whom was referred the following bills,

"An act, directing the treasurer to pay Lyman Whitman the sum therein mentioned,"

"An act, in favor of George T. Hodges,"

"An act, directing the treasurer to pay George W. Ordway the sum therein mentioned," and

"An act, in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt,"

Reported the same without amendment.

The said bill entitled "an act directing the treasurer to pay Lyman Whitman the sum therein mentioned," and the bill entitled "an act in favor of George T. Hodges," were, severally, read the third time and laid on the table.

The bill entitled "an act directing the treasurer to pay George W. Ordway the sum therein mentioned," was read the third time and passed.

The bill entitled "an act in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt," was taken up and the question being put, "Shall the bill be read the third time?" was decided in the negative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT: The house have passed bills of the following titles in which they ask the concurrence of the Senate :

"An act, in addition to an act organizing the county of Lamoille and creating a probate district therein."

"An act relating to the state prison."

"An act in addition to and alteration of an act passed Nov. 4, 1835, entitled "an act repealing an act therein mentioned and providing for advertisements relating to land taxes and notices and repealing all former acts relating thereto."

The engrossed bill entitled "an act directing the treasurer to pay Eliphalet Hewett the sum therein mentioned," was read the third time and passed.

Mr. Barnes called up the bill entitled "an act to incorporate the Guildhall bridge company."

Ordered, that it be engrossed and read the third time.

The Senate adjourned.

WEDNESDAY, NOVEMBER 16, 1836.

Mr. Converse, from the joint committee on bills, reported that the committee yesterday delivered to the governor, for approval and signature, bills of the following titles:

"An act, to incorporate the Brattleboro' manufacturing company."

"An act, incorporating the Montpelier north branch manufacturing company."

"An act, relating to the mileage of members of the general assembly."

"An act, to prevent circus riding and theatrical exhibitions."

"An act, to incorporate the north Springfield manufacturing company."

Engrossed bills of the following titles were, severally, read the third time and passed:

"An act, repealing part of an act allowing endorsees to maintain actions in their own names."

"An act, directing the treasurer to pay the town of Sutton the sum therein mentioned."

"An act, authorizing a division of the public lands in Lowell."

"An act, authorizing the governor to distribute pieces of ordnance."

The following bills from the House of Representatives were, severally, read the third time and passed :

"An act, to locate the county buildings in the county of Franklin," and

"An act, authorizing the removal of the Essex county grammar school to a new location."

The engrossed bill entitled "an act for the preservation of fish in the waters of the Ascutney reservoir," was read the third time and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Beckwith, were taken, and were as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Bell, Converse, Henry, Hubbell, Keyes, Kinsman, Merrill, Palmer, Phelps, Sheldon, Smilie, Waterman, Watson, White and Young—16.

Those who voted in the negative, are

Messrs. Beckwith, Briggs, Grandy, Hammond, Howe, Miller, Pierpoint, Ranney, Steele, Tenney and Van Sicklin—11.

So it was decided in the affirmative.

The following bills from the House of Representatives were, severally, read the first and second time and referred as follows :

"An act, in addition to and alteration of an act passed Nov. 4, 1835," &c. was referred to the committee on land taxes.

"An act, relating to the state prison," was referred to the committee on finance.

"An act, in addition to an act organizing the county of Lamoille, and erecting a probate district therein," was referred to the committee on the judiciary.

On motion of Mr. Converse, the vote taken last evening, refusing a third reading to the bill entitled "an act in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt," was reconsidered.

On motion of Mr. Sheldon,

Ordered, that the bill be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act, to extend the limits of jail yards in this state."

"An act, relating to the duties of bank committee or bank inspector."

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," reported said bill with amendments, and it was resumed by the Senate, as in committee of the whole, and debated.

On motion of Mr. Young,

Ordered, that the bill and amendments be laid on the table.

Mr. Howe called up the bill entitled "an act relating to inn-keepers and for regulating the sale of wines and distilled spiritous liquors,"

Mr. Briggs moved that the bill be indefinitely postponed.

The Senate adjourned.

AFTERNOON.

Mr. Sheldon, from the committee on education, to whom was referred a bill from the House of Representatives, entitled "an act in favor of Caledonia county grammar school at Lyndon," reported the same without amendment, with the opinion that the bill ought not to pass.

On motion of Mr. Beckwith,

Ordered, that the bill be laid on the table.

Mr. Beckwith, from the committee on land taxes, to whom was referred a bill from the House of Representatives, entitled "an act in addition to and alteration of an act, passed Nov. 4, 1835," &c., reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that it be laid on the table.

Mr. Steele, from the committee on finance, to whom was referred a bill from the House of Representatives, entitled "an act relating to the Vermont state prison," reported the same without amendment.

Mr. Phelps moved that the bill be laid on the table, and demanded that the question be taken by yeas and nays.

The yeas and nays being taken, were as follows:

Those who voted in the affirmative, are

Messrs. Barnes, Beckwith, Converse, Grandy, Hebard, Henry, Howe, Hubbell, Keyes, Kinsman, Merrill, Miller, Palmer, Phelps, Porter, Ranney, Sheldon, Smilie, Steele, Tenney, Waterman and Young—22.

Those who voted in the negative, are

Messrs. Bell, Briggs, Hammond, Pierpoint, Van Sicklin, Watson—6.
So it was decided in the affirmative.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act fixing the pay of librarian," reported that it is unnecessary to pass said bill.

Ordered, that it be indefinitely postponed.

Mr. Hammond, from the same committee, to whom was referred a resolution of the Senate of the 18th of October last, relating to the state house, and a resolution of the Senate of the 15th inst., relating to surplus revenue, reported that no action is necessary on said resolutions.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled "an act directing the treasurer to pay Ebenezer C. Barton the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

The bill entitled "an act to repeal a part of an act, relating to legal settlement," was taken up, and the amendment proposed by the House of Representatives thereto was concurred in.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled "an act relating to the duties of constables in the county of Lamoille," reported the same without amendment, and it was read the third time and passed.

A bill from the House of Representatives, entitled "an act relating to the duties of bank committee or bank inspector," was read the first and second time.

Ordered, that the rule requiring the bill to lie twenty-four hours before the third reading, be suspended, and that the bill be read the third time at this time.

The said bill was read the third time and passed.

An engrossed bill, entitled "an act to incorporate the Guildhall bridge company," was read the third time and passed.

A bill from the House of Representatives, entitled "an act to extend the limits of jail yards in this state," was read the first and second time and referred to the committee on the judiciary.

Mr. Porter called up the resolution introduced by him on the 14th inst., moving a reconsideration of the vote taken on the 14th inst., on the passage of a bill entitled "an act in relation to common schools," and the said resolution was passed, and said vote reconsidered.

The question being then taken on the said bill, "Shall the bill be read the third time?" was decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative are

Messrs. Grandy, Hebard, Howe, Palmer, Van Sicklin, Waterman, Young—7.

Those who voted in the negative, are

Messrs. Barnes, Beckwith, Bell, Converse, Hammond, Henry, Keyes, Kinsman, Merrill, Miller, Pierpoint, Phelps, Porter, Ranney, Sheldon, Smilie, Steele, Watson and White—19.

Mr. Howe called up the bill entitled "an act relating to inn-keepers," &c.

Mr. Briggs withdrew the motion for indefinite postponement made by him in the morning.

On motion of Mr. Bell,

Ordered, that the bill be laid on the table.

The following resolutions, from the House of Representatives, preceded by a report, were read:

1. Resolved, That neither congress, nor the state governments, have any constitutional right to abridge the free expression of opinions, or the transmission of them through the medium of the public mail.

2. Resolved, That congress does possess the power to abolish slavery and the slave trade in the district of Columbia.

3. Resolved, That his excellency the governor be requested to transmit a copy of the foregoing report and resolutions to the executives of each of the states, and to each of our senators and representatives in congress.

On motion of Mr. Pierpoint,

Ordered, that the said resolutions be referred to the committee on the judiciary.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have passed bills

of the following titles, in which they ask the concurrence of the Senate, viz :

"An act, to incorporate the beet root sugar manufacturing company," and

"An act, directing the treasurer to pay Lebbeus Egerton the sum therein mentioned."

The House do not concur with the Senate in passing a bill entitled "an act to provide for reporting the decisions of the supreme court."

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state."

On motion of Mr. Ranney,

Ordered, that the bill and proposed amendments be referred to a committee of three, to be appointed by the chair.

The President thereupon appointed as such committee, Mr. Pierpoint, Mr. Porter and Mr. Hebard.

On motion of Mr. Pierpoint,

Ordered, that the Senate assemble for an evening session at seven o'clock this evening.

A bill from the House of Representatives, entitled "an act to pay Lebbeus Egerton the sum therein mentioned," was read the first and second time, and referred to the committee on finance."

A bill from the House of Representatives entitled "an act to incorporate the beet root sugar manufacturing company," was read the first and second time and referred to the committee on manufactures.

The Senate adjourned.

EVENING.

Mr. Hubbell, from the committee on bills reported that the committee have this day delivered to the governor, for his approval and signature, bills of the following titles :

"An act, incorporating literary and scientific associations."

"An act, to incorporate the Marshfield cotton and woollen manufacturing company."

"An act, incorporating the Sunderland lead mining and manufacturing company."

"An act, directing the treasurer to pay George W. Ordway the sum therein mentioned."

"An act, to pay Oliver Kenney the sum therein mentioned."

"An act, laying a tax on the lands in Jay."

Mr. Hammond, from the committee on finance, to whom was referred a bill from the House of Representatives entitled "an act directing the treasurer to pay Lebbeus Egerton the sum therein mentioned," reported the same without amendment.

On motion of Mr. Waterman,

Ordered, that the bill be referred to the committee on claims.

Mr. Phelps introduced the following resolution :

Resolved, the House of Representatives concurring herein, that William Henry of Rockingham, Allen Wardner of Windsor, and Chester Baxter of Sharon, be and hereby are appointed a committee to make a full investigation of all the concerns of the Vermont state prison, including the debts due to and owing by said prison, the accounts, property and police of said prison, with all the other matters and things connected with said prison, with power in said committee to send for persons and papers ; and make a particular report on all the subjects by them investigated to the governor of the state. And said committee are also directed to order the sale of such portion of the property of said prison as they shall deem most for the interest of the state, at such time and in such manner as they may direct.

On motion of Mr. Briggs,

Ordered, that the resolution be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed a bill entitled "an act in addition to an act entitled an act authorising the building of a state house at Montpelier," in which they ask the concurrence of the Senate.

The House concur with the Senate in passing a bill entitled "an act repealing part of an act incorporating the Bellows Falls manufacturing company."

The House do not concur with the Senate in passing bills of the following titles :

"An act, directing the treasurer to pay the town of Sutton the sum therein mentioned."

"An act in addition to an act regulating town meetings and the choice and duty of town officers."

Mr. Young, from the committee on roads and canals, to whom was referred a bill from the House of Representatives, entitled "an act appropriating the sum therein mentioned for making certain surveys," reported the same without amendment.

On motion of Mr. Hubbell,

Ordered, that the bill be laid on the table.

Mr. Hubbell, from the committee on the judiciary, to whom was referred a bill from the House of Representatives, entitled, "an act in addition to an act organizing the county of Lamoille, and erecting a probate district therein," reported that said bill ought not to pass.

On motion of Mr. Smilie, ordered that the bill be laid on the table.

Mr. Henry, from the committee on manufactures, to whom was referred a bill from the House of Representatives, entitled "an act to incorporate the beet-root sugar manufacturing company," reported the same without amendment.

Mr. Briggs, from the committee on the judiciary, to whom was referred the three resolutions, from the House of Representatives, as stated on the journal of this afternoon, reported said resolutions with an amendment, by striking out, in the third resolution, the words "report and,"

which amendment was adopted ; and the said resolutions, as amended, were, severally, read and passed.

On the passage of the second resolution, the yeas and nays having been demanded by Mr. Henry, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Briggs, Converse, Grandy, Hammond, Hebard, Henry, Howe, Hubbell, Keyes, Kinsman, Miller, Pierpoint, Phelps, Porter, Ranney, Sheldon, Steele, Van Sicklin, Watson, White and Young—23.

Those who voted in the negative are

Messrs. Barnes, Merrill, Smilie, and Waterman—4.

A bill from the House of Representatives, entitled "an act in addition to an act entitled an act authorising the building of a state house at Montpelier," was read the first and second time.

Ordered, that the rule be suspended and that the bill be read a third time, at this time.

The said bill was read the third time and passed.

Mr. Young, from the committee on roads and canals, to whom was referred a bill entitled "an act to repeal an act for the relief of the town of Newark," reported that the same ought not to pass.

On motion, the said bill was postponed indefinitely.

A bill from the House of Representatives, entitled "an act laying a tax on the lands in the town of Newport," was taken up, and the question, "Shall the bill be read the third time?" being put, was decided in the negative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act, to incorporate the Tumbling falls manufacturing company."

"An act, directing the treasurer to pay Paul Chase the sum therein mentioned," and

"An act, authorizing the surveyor general to survey and settle the line between the counties of Windham and Bennington."

The House have also concurred with the Senate in passing a bill entitled "an act to incorporate the Bennington manufacturing and printing company"—also, in passing "an act to incorporate the West Townshend manufacturing company."

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," when

Mr. Porter, from the select committee, to whom the bill was this afternoon referred, reported the bill with amendments, which were considered, and the said bill was amended and reported to the Senate, the amendments concurred in, and the bill ordered to be read the third time.

The Senate adjourned.

THURSDAY, NOVEMBER 17, 1836.

The following bills from the House of Representatives, were severally read the third time and passed :

"An act, to incorporate the beet root sugar manufacturing company"—and

"An act, dividing the funds arising from the grammar school lands in the county of Orleans."

The following bills from the House of Representatives, were read the first and second time, and ordered as follows :

"An act, to incorporate the Tumbling falls manufacturing company," was referred to the committee on manufactures.

"An act, directing the treasurer to pay Paul Chase the sum therein mentioned," was laid on the table.

"An act, authorizing the surveyor general to survey and settle the line between the counties of Windham and Bennington," was referred to the senators from Bennington and Windham counties.

"An act, for the relief of John Goss," reported by the committee on claims, was ordered to be laid on the table.

"An act, in addition to and alteration of an act passed Nov. 4, 1835, entitled an act repealing an act therein mentioned," &c., was read the third time and passed.

Mr. Hebard, from the committee on the judiciary, to whom was referred a bill entitled "an act to extend the limits of jail yards in this state," reported the bill with an amendment.

Ordered, that the bill be laid on the table.

The bill entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," was read the third time and on the question, "Shall the bill pass?" the yeas and nays were taken and were as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Beckwith, Bell, Briggs, Grandy, Hebard, Henry, Howe, Hubbell, Keyes, Kinsman, Merrill, Palmer, Pierpoint, Ranney, Sheldon, Smilie, Tenney, Waterman, Watson and Young—21.

Those who voted in the negative, are

Messrs. Converse, Hammond, Miller, Phelps, Porter, Steele, Van Sicklin and White—8.

So it was decided in the affirmative.

Mr. Henry, from the committee on manufactures, to whom was referred a bill from the House of Representatives entitled "an act incorporating the Tumbling falls manufacturing company," reported the same without amendment, and it was read the third time and passed.

A message from the House of Representatives by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed a bill entitled "an act to incorporate the Manchester cotton and woollen manufacturing company, in which they ask the concurrence of the Senate."

The House concur with the Senate in passing bills of the following titles :

"An act, relating to the transfer of turnpike stock to towns."

"An act, relating to the public buildings."

"An act, to incorporate the Guildhall bridge company."

"An act in addition to an act entitled an act to prevent forcible entry and detainer," &c.

The House do not concur with the Senate in passing a bill entitled "an act for the preservation of fish in the waters of the Ascutey reservoir."

The House concur with the Senate in the 1st, 2d, 3d, 4th, 7th, 9th, and 10th proposed amendments of the Senate to a bill entitled "an act establishing permanent salaries for certain officers," and do not concur in 5th, 6th and 8th proposed amendments of said bill.

Mr. Henry, from the committee on manufactures who were instructed by a resolution of the Senate of the 18th ult. to inquire into the expediency of providing by law for the health, education and morals of such children and minors as may hereafter be employed in manufacturing establishments in this state, reported a bill entitled "an act regulating the management and education of apprentices, minors and children."

Which was read twice and ordered to be engrossed and read the third time.

A bill from the House of Representatives entitled "an act to incorporate the Manchester cotton and woolen manufacturing company," was read twice and referred to the committee on manufactures.

Mr. Porter, from the committee on banks, to whom was referred a bill entitled "an act to incorporate the President, directors and company of the bank of Poultney," reported the same without amendment.

On motion of Mr. Porter,

Ordered, that it be indefinitely postponed.

Mr. Phelps called up the resolution introduced yesterday by him, relative to the state prison, and it was read and passed.

Mr. Hubbell called up a bill entitled "an act concerning the election of senators."

On motion of Mr. Kinsman,

Ordered that it be laid on the table.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred with the Senate in the amendments proposed to the bill entitled "an act for the receipt and distribution of the public money, which may be deposited with this state."

They have also concurred in the amendments proposed by the Senate to the resolution, fixing a time for the adjournment of both houses.

Mr Waterman introduced the following resolution:

Resolved, the House of Representatives concurring herein, that the superintendent of the public buildings, be directed to cause the bell owned by the state, now suspended in the court house, and which is cracked, to be cast over, provided the county of Washington will be at the expense of transportation and replacing the same in the court house.

Which was read and referred to the senators from Washington county.

Mr. Howe, from the committee on claims to whom was recommitted the bill from the House of Representatives entitled "an act directing the treasurer to pay Lebbeus Egerton the sum therein mentioned," reported the same without amendment.

Mr. Hebard moved to erase from said bill the words *twenty-seven hundred and twenty-seven dollars and seven cents*, and the question thereon was taken by yeas and nays as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Bell, Briggs, Converse, Hebard, Hubbell, Kinsman, Merrill, Pierpoint, Phelps, Porter, Waterman, Watson, Young—14.

Those who voted in the negative, are

Messrs. Grandy, Hammond, Henry, Howe, Keyes, Miller, Ranney, Sheldon, Smilie, Steele, Van Sicklin, White—12.

So it was decided in the affirmative.

Mr. Hebard, moved to fill the blank in the bill with the words *three thousand six hundred and sixty-six dollars and sixty-six cents*, and on this question the yeas and nays were taken, and were as follows :

Those who voted in the affirmative, are

Messrs. Barnes, Hebard, Howe, Kinsman, Merrill, Porter, Sheldon, Waterman, Watson, Young—10.

Those who voted in the negative are

Messrs. Beckwith, Bell, Briggs, Converse, Grandy, Hammond, Henry, Hubbell, Keyes, Miller, Phelps, Ranney, Smilie, Steele, Van Sicklin, White—16.

So it was decided in the negative.

Mr. Hubbell moved that the blank in said bill be filled with the words, *three thousand dollars*, and the question thereon was taken by yeas and nays, as follows :

Those who voted in the affirmative are

Messrs. Barnes, Bell, Briggs, Converse, Hebard, Henry, Howe, Hubbell, Keyes, Merrill, Pierpoint, Phelps, Porter, Waterman, Watson, White, Young—17.

Those who voted in the negative, are

Messrs. Beckwith, Grandy, Hammond, Miller, Ranney, Sheldon, Smilie, Steele—8.

So it was decided in the affirmative.

The bill was then read the third time and passed.

Mr. Hebard introduced the following resolution :

Resolved, that the secretary be instructed to make, and receive from the treasurer the debentures of the Senate and the contingent expenses of the Senate and pay the same to the senators and officers of the Senate entitled to receive the same.

Which was read and passed.

The Senate took up the bill from the House of Representatives entitled "an act establishing permanent salaries for certain officers," in certain amendments to which proposed by the Senate the House of Representatives do not concur.

On motion of Mr. Pierpoint,

Resolved, that the Senate do insist on the amendments proposed by them to said bill, and that the House of Representatives be informed thereof by message.

Mr. Converse, from the committee on bills, reported that the committee have this day delivered to the governor for his approbation and signature, bills of the following titles :

"An act relating to the duties of bank commissioner, or bank inspector."

"An an to repeal a part of an act relating to legal settlements."

"An act directing the treasurer to pay Ebenezer C. Barton the sum therein mentioned."

"An act relating to the duties of constables in the county of Lamoille," &c.

The Senate adjourned.

AFTERNOON.

The Lieut. Governor being absent, by reason of indisposition,

On motion of Mr. Bell,

Resolved, that the Senate proceed to appoint a President pro tempore.

Whereupon Hon. Ebenezer N. Briggs was elected president pro tempore.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution dooming certain towns, in which they ask the concurrence of the Senate.

The House do not concur with the Senate in passing bills of the following titles :

"An act directing the treasurer to receive such money as this state may be entitled to receive from the United States."

"An act ascertaining the principles on which the list of this state shall be made and directing listers in their office and duty."

Mr. Henry introduced the following resolution :

Resolved, the House of Representatives concurring herein, that the treasurer of the state be, and he is hereby authorised to arrange, file and put in order the old papers received from the former treasurer, and that the auditor be directed to audit and allow the account for the same.

Which was read and passed.

Bills from the House of Representatives were, severally, read the third time and passed :

"An act relating to the state Prison."

"An act, to incorporate the Manchester cotton and woolen manufacturing company."

"An act in addition to an act entitled an act to provide for the support of common schools."

"An act, authorizing the surveyor general to survey and settle the line between the counties of Windham and Bennington."

The following resolution from the House of Representatives was taken up :

Resolved, the Senate concurring herein, that the town of Dorset, in the county of Bennington, be doomed in the sum of one thousand dollars, and that the towns of Wallingford and Rutland, in the county of Rut-

land, be doomed in the sum of one thousand dollars each; and the town of Castleton, in the county of Rutland, be doomed in the sum of eight hundred dollars, and that the said sums be added to the respective lists of said towns.

Which was read, and

On motion of Mr. Pierpoint,

Referred to the committee on finance.

Mr. Van Sicklin, from the committee on finance, to whom said resolution was referred—reported the same with an amendment, which was concurred in, and the resolution, as amended, was passed.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House still refuse to concur with the Senate in the 5th, 6th and 8th amendments, proposed by the Senate to the bill entitled "an act establishing permanent salaries for certain officers."

Mr. Converse, from the committee on bills, reported that the committee has this day delivered to the governor for his approbation and signature, bills of the following titles:

"An act, in addition to an act entitled an act to prevent forcible entry and detainer, passed February 27, 1797."

"An act, to incorporate West Townshend manufacturing company."

"An act, to incorporate the Tumbling falls manufacturing company."

"An act, relating to the transfer of turnpike stock to towns."

"An act, relating to public buildings."

"An act, to incorporate the Guildhall bridge company."

"An act, to incorporate the Bennington manufacturing and printing company."

"An act, to locate the county buildings in the county of Franklin."

"An act, repealing part of an act incorporating the Bellows falls manufacturing company."

"An act, authorizing the removal of the Essex county grammar school at Guildhall, to a new location."

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House do not concur with the Senate in the amendments proposed by the Senate to the bill entitled "an act directing the treasurer to pay Lebbeus Egerton the sum therein mentioned."

The house concur with the Senate in passing a resolution to appoint a committee to examine the state prison; and also a resolution relating to papers in the treasury.

The house concur with the Senate in passing bills of the following titles:

"An act, authorizing the governor to distribute pieces of ordnance."

"An act, authorizing a division of the public lands in the town of Lowell."

"An act directing the treasurer to pay Peter Nichols the sum therein mentioned."

"An act directing the treasurer to pay Eliphalet Hewett the sum therein mentioned."

"An act repealing part of an act allowing endorsees to maintain actions in their own names."

"An act relating to highways."

The house also concur with the Senate in the amendments proposed by the Senate to bills of the following titles :

"An act in addition to an act entitled an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings," and

"An act in addition to and alteration of an act passed Nov. 4, 1835, entitled an act repealing an act therein mentioned and providing for advertisements relating to land taxes and notices and repealing all former acts relating thereto."

Mr. Watson introduced the following resolution :

Resolved, that the thanks of this Senate be tendered to the Hon. David M. Camp, for the able, dignified and impartial manner in which he has performed the duties of president of this Senate ; and that a copy of this resolution be transmitted to him by the secretary of the Senate.

Which was read, and passed, unanimously.

Mr. Waterman, from the committee to whom was referred the resolution relating to the bell, passed in the forenoon, reported the following resolution :

Resolved, the House of Representatives concurring herein, that the broken bell belonging to the state be given to the county of Washington, to be cast anew for the use of the court house in said county of Washington.

Which was read and passed.

Bills from the House of Representatives of the following titles were taken up and ordered as follows :

"An act directing the treasurer to pay Lyman Whitman the sum therein mentioned," was read a third time and passed.

"An act directing the treasurer to pay James Dwyer and Adolphus Paul the sum therein mentioned," was read a third time, and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Howe, were taken and were as follows :

Those who voted in the affirmative, were

Messrs. Beckwith, Bell, Grandy, Hebard, Hubbell, Keyes, Kinsman, Merrill, Sheldon, Smilie, Van Sicklin, Waterman, Watson—13.

Those who voted in the negative, were

Messrs. Barnes, Converse, Hammond, Howe, Miller, Pierpoint, Steele, White, Young—9.

So it was decided in the affirmative.

The bill from the House of Representatives, entitled "an act in favor of George T. Hodges," was read the third time, and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Hammond, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Beckwith, Bell, Grandy, Hebard, Hubbell, Keyes, Merrill, Sheldon, Smilie, Van Sicklin, Waterman, Watson—12.

Those who voted in the negative are

Messrs. Barnes, Converse, Hammond, Henry, Howe, Miller, Pierpoint, Steele, White, Young—10.

So it was decided in the affirmative.

The bill from the House of Representatives, entitled "an act in favor of Lyman Mower, Isaac N. Cushman and John A. Pratt," was read the third time and on the question, "Shall the bill pass?" the yeas and nays, having been demanded by Mr. Howe, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Beckwith, Bell, Grandy, Hebard, Henry, Hubbell, Keyes, Merrill, Phelps, Sheldon, Smilie, Van Sicklin, Waterman, Watson—14.

Those who voted in the negative are
Messrs. Barnes, Briggs, Converse, Hammond, Howe, Miller, Pierpoint, Steele, White, Young—10.

So it was decided in the affirmative.

The bill from the House of Representatives, entitled "an act directing the treasurer to pay Samuel B. Booth the sum therein mentioned," was taken up, and on the question "Shall the bill be read the third time?" the yeas and nays having been demanded by Mr. Howe, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Bell, Grandy, Hebard, Henry, Hubbell, Phelps, Sheldon, Smilie, Watson—9.

Those who voted in the negative are
Messrs. Barnes, Beckwith, Briggs, Converse, Hammond, Howe, Miller, Pierpoint, Steele, Van Sicklin, White, Young—12.

So it was decided in the negative.

The bill from the House of Representatives, entitled "an act directing the treasurer to pay Paul Chase the sum therein mentioned," was read the third time, and on the question, "Shall the bill pass?" the yeas and nays having been demanded by Mr. Howe, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Beckwith, Grandy, Henry, Hubbell, Merrill, Phelps, Ranney, Sheldon, Smilie, Van Sicklin, Waterman, White—12.

Those who voted in the negative are
Messrs. Briggs, Converse, Hammond, Howe, Miller, Pierpoint, Steele, Young—8.

So it was decided in the affirmative.

The bill from the House of Representatives, entitled "an act for the relief of John Goss," was taken up, and the question, "Shall the bill be read the third time?" being put, was decided in the negative.

The bill from the House of Representatives, entitled "an act in addition to an act organizing the county of Lamoille," &c. was taken up; and the question, "Shall the bill be read the third time?" being put, was decided in the negative.

On motion of Mr. Pierpoint,

Ordered, that a message be sent to the House of Representatives, to request a conference in relation to the disagreement of the two houses on the amendments proposed by the Senate to the bill entitled "an act establishing permanent salaries for certain officers," and that a commit-

tee of three be appointed by the chair to meet in conference such committee as the House of Representatives may appoint.

And thereupon the chair appointed, as such committee, Mr. Pierpoint, Mr. Hebard and Mr. Watson.

A bill from the House of Representatives, entitled "an act in favor of Caledonia county grammar school at Lyndon," was read the third time and passed.

The bill from the House of Representatives, entitled "an act directing the treasurer to pay Lebbeus Egerton the sum therein mentioned," was taken up, and

Resolved, to recede from the amendments proposed by the Senate to said bill.

A bill from the House of Representatives, entitled "an act to extend the limits of jail yards in this state," was taken up, and the question being put, "Shall the bill be read the third time?" was decided in the negative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The house have agreed to a conference on the disagreement of the two houses in amendments proposed to the bill entitled "an act establishing permanent salaries for certain officers," and have appointed on their part as a committee, Mr. Smith of St. Albans, Mr. Fitch and Mr. Conant.

The house do not concur with the Senate in passing a resolution relating to the bell of the state house.

The Senate adjourned to half past seven o'clock, this evening.

EVENING.

Mr. Pierpoint from the committee of conference on the bill entitled "an act establishing permanent salaries for certain officers," reported that the Senate recede from the proposed amendment in the sum fixed for the salary of the secretary of state ; that they adhere to the proposed amendment in the sum fixed as the salary of the engrossing clerk, and that in the salary as proposed by the Senate of the librarian the words *one hundred* be stricken out and the words *seventy five* inserted ; which report was concurred in and the House of Representatives informed thereof by message.

Mr. Converse, from the committee on bills reported that said committee have this day delivered to the governor for his approbation and signature, bills of the following titles :

"An act authorising the governor to distribute pieces of ordnance."

"An act authorising a division of the public lands in the town of Lowell."

"An act, directing the treasurer to pay Peter Nichols the sum therein mentioned."

"An act, directing the treasurer to pay Eliphalet Hewett the sum therein mentioned."

"An act, repealing part of an act allowing endorsees to maintain actions in their own names."

"An act in addition to and alteration of an act passed Nov. 4, 1835, entitled an act repealing an act therein mentioned, and providing for advertisements relating to land taxes and notices, and repealing all former acts relating thereto."

"An act in addition to an act constituting the supreme court of judicature and county courts, defining their powers and regulating judicial proceedings."

"An act, directing the treasurer to pay Lebbeus Egerton the sum therein mentioned."

"An act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state."

"An act, establishing permanent salaries for certain officers."

"An act in favor of Caledonia county grammar school."

The Senate took up the bill entitled "an act more effectually to prevent gambling in this state," and it was amended, read the third time and passed.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have concurred in the amendments proposed by the Senate to the resolution dooming towns.

Mr. Hubbell introduced the following resolution:

Resolved, the House of Representatives concurring herein, that his excellency the governor be requested to solicit of the executive authorities of the several states, an exchange of reports of the judicial decisions of their respective states, for those of their states, and that the governor of this state is hereby authorised to make such exchange.

Which was read and passed.

The Senate, as in committee of the whole took up the bill entitled "an act appropriating the sum therein mentioned for making certain surveys," and it was amended and reported to the Senate and the amendments concurred in, and the bill read the third time, and on the passage thereof the yeas and nays having been demanded, were taken, and were as follows:

Those who voted in the affirmative, are

Messrs. Beckwith, Converse, Hammond, Hebard, Howe, Kinsman, Merrill, Miller, Pierpoint, Phelps, Porter, Sheldon, Steele, Waterman, Watson, White, Young—17.

Those who voted in the negative, are

Messrs. Barnes, Bell, Grandy, Hubbell, Keyes, Smilie—6.

So it was decided in the affirmative.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives concur in the amendments proposed to the bill entitled "an act establishing permanent salaries for certain officers." The House do not concur with the Senate in passing a bill entitled "an act regulating and governing the militia of this state."

The Senate took up a resolution directing the state's attorney of Rutland county to institute a scire facias against the Green Mountain turn-

pike company, and on the question, "Shall the resolution pass?" the yeas and nays were taken, and were as follows:

Those who voted in the affirmative, are
Messrs. Beckwith, Converse, Hammond, Merrill, Pierpoint, Waterman, Watson—7.

Those who voted in the negative, are
Messrs. Bell, Grandy, Henry, Howe, Keyes, Phelps, Ranney, Sheldon, Smilie, Van Sicklin, White, Young—12.
So it was decided in the negative.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives do not concur with the Senate in the amendments proposed to the bill entitled "an act appropriating the sum therein mentioned, for making certain surveys."

They concur in the resolution authorising the governor to make exchange of reports of judicial decisions.

The Senate took up the bill entitled "an act appropriating the sum therein mentioned, for making certain surveys," and

Resolved to recede from the amendments proposed to said bill.

A message from the House of Representatives by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur in the amendments proposed to the bill entitled "an act more effectually to prevent gambling in this state."

On motion of Mr. Pierpoint,

Ordered, that when the Senate adjourn, it adjourn to meet at five o'clock to-morrow morning.

On motion of Mr. Pierpoint,

Ordered, that a committee of two be appointed to wait on the governor and inform him that the Senate have, on their part, completed the business of the session.

Mr. Pierpoint and Mr. Hammond were appointed as such committee.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have, on their part, completed the business of the session.

The Senate adjourned.

FRIDAY, NOVEMBER 18, 1856.

The Senate assembled, pursuant to adjournment:

After prayer by the Rev. chaplain, the President of the Senate, pursuant to the joint resolution of both houses, adjourned the Senate without day.

NORMAN WILLIAMS,

Secretary of the Senate.

APPENDIX.

Mr. Youre from the committee, to whom was referred the memorial of Zacheus Bass and others; the memorial of Enos Merrill and others; the memorial of Benjamin Abbott and others; the memorial of George Gale and others, and the memorial of ladies in Bethel, submitted a report thereon, and reported a bill entitled "an act relating to inn-keepers, and for regulating the sale of wines and distilled spiritous liquors."

REPORT.

TO THE SENATE NOW IN SESSION:

Your committee to whom was referred the memorial of Zacheus Bass and others on the subject of intemperance, and also the memorial of the ladies of Bethel, and divers other memorials on the same subject, beg leave to report: that in principle, your committee fully accord with the views expressed in said memorials, and in especial manner, with those contained in the first named memorial, which memorial your committee would gladly adopt and record, as a preliminary to their report.

Your committee believe, that no tax ought to be raised from grants on licenses to commit crime, or to do any act or thing deleterious and destructive to the lives, morals and happiness of vast numbers of our fellow beings; and that all such *revenue bills*, are not only derogatory to an enlightened and virtuous people, but in a pecuniary point of view, will vastly more than counteract the benefits intended. Your committee are aware not only of the force of habit, when once fixed and inveterate by indulgence, which, like a chronic disease, is always slow of emendation; but also of the force or power of public opinion when once awakened and brought to bear upon any widespread moral evil; and although your committee are aware that by the aid of the skilful physician, some assistance may be rendered in aid of those healthful symptoms, yet they are not aware that any catholicon or specific can be administered, by which the evil can at once be eradicated or cured; nor would your committee willingly recommend in the present case, any antidote which might in any wise serve to produce a relapse.

Public opinion, which must in all free governments, eventually sustain (and should precede) all legislative acts, has already done much in the suppression of intemperance in this state, and also in our sister states; and it is to be hoped that its force is not yet spent in aid of so good a cause; but on the contrary, that it has acquired strength sufficient to sustain such salutary laws as may be enacted for the control and reformation of those who may be above or below its reach, and hence, such as can only be restrained by the application of legal enactments.

Your committee being desirous to invite public opinion in aid of any law which may be enacted for the suppression of intemperance, and for a reformation and relief from its concomitant evils; and believing in charity that none of the delegated authorities will feel disposed to set at

defiance public opinion so fully expressed, or to evade the true meaning and intent of such laws as may be passed in its aid, would humbly recommend the passage of the accompanying bill.

A. YOUNG, for committee.

MR. WATSON, from the committee on education, to whom was referred the resolution passed by the Senate, on the 19th ult., submitted the following

REPORT.

TO THE SENATE NOW IN SESSION:

The committee on education, to whom was referred a resolution directing them to inquire into the expediency of providing for a general and critical geological and topographical survey of the state, beg leave to report, that the subject submitted to them has received a careful and deliberate consideration. In several states of the Union, surveys of the character contemplated by the resolution, have been already accomplished, or are at this time in progress of completion. Those works are under the direction of the executive of the respective states, and are sustained by the munificence of their legislatures. It is understood by your committee, that much practical and permanent benefit to the public has resulted already in the states of Massachusetts, Maine and New Jersey, from their geological surveys. The legislature of New York has appropriated a fund of twenty-four thousand dollars annually for a period of four years, to the purpose of an accurate and complete scientific survey of that state. Other states have adopted the same policy and have made liberal appropriations to advance it. Your committee cannot hesitate in adopting the sentiment, that not only the cause of science but the general interests of a community are promoted by a measure of this kind, whenever the resources of its government will warrant the expenditure. They are equally well satisfied, that whenever a survey of the character contemplated is made, it should be thorough and complete.—A mere superficial geological and topographical examination of the country would result in no adequate benefit to any interest designed to be promoted by it.

Various objects are contemplated by a geological survey, and we observe that in other states it has embraced a research into the vegetable and animal kingdoms, as well as the geological and mineral departments. It would require an examination into the mineral resources of the state, and whenever the geological formation of the country, or other appearances indicated the presence of ores or mines,—scientific investigations would be made, and the question as to their existence definitely determined. We have proof in every section of the state, that Vermont is rich in her mineral substances, and your committee have the fullest confidence that a scientific survey of the state would lead to important results in the development of those resources, and a determination of the particular properties of each. Such an examination would probably lead to the discovery of other important sources of wealth and attractions of enterprise. Accident has already made the discovery of marble quarries of surpassing beauty and variety—of sand, adapted to the manufacture of glass, and which is now sought with avidity by distant works—of iron ore of a superior quality—of lead—of copper—of

manganese, of firm and compact fire stone, and various other substances, all indicating the existence in the state of great and peculiar internal resources. Your committee believe that an accurate and able survey of the state would result in important practical advantages, and lead to the discovery of valuable mineral productions and other sources of wealth. The formation and structure of our mountains, the position of our rocks, the components of our various soils, present not only interesting subjects of scientific enquiry, but have an important practical bearing upon the question of the capabilities and resources of the state. For instance, it is a law of nature that salt is never found below a certain character of rock; that coal is only discovered in a peculiar position; and that the minerals are always found in a certain and well established geological formation. A survey of the state would ascertain and determine these characteristics—would give a proper direction to these inquiries, and would arrest much useless expense, and much wild speculation, in search of that which cannot be found.

Your committee feel that another important and very manifest consideration is connected with this subject. Science has administered peculiar benefits in other countries to the interests of agriculture, in analysing and defining the constituents of soils, and in determining the adaptation to them of the various vegetable and mineral manures. A geological survey would necessarily demand an examination of the soils of the various sections of the state, their properties and constituents, and would point out those calculated for the application of gypsum, lime, marl, and other vegetable and mineral manures. It is highly probable in the opinion of your committee, that an accurate examination of the state, would result in the discovery of these productions. They believe that such a result in its influence upon the agricultural prosperity of the state, would amply remunerate every disbursement from the public treasury required to accomplish the work.

Your committee cannot be insensible to the importance of the contemplated measure in another point of view. They believe that a geological survey, under the auspices of the state, would arouse a spirit of scientific research and investigation which would elevate and dignify the character of our population and tend to the most useful and important consequences.

The resolution submitted to your committee, directs an additional enquiry, relative to a topographical survey of the state. Your committee are aware that the period is rapidly approaching when our character and the wishes of the people will demand a compilation of a new map of the state. Those now in use are inaccurate, and are becoming antiquated, and in appearance and execution, are behind the improvements of the day. Your committee believe that a topographical survey could very readily be combined with a geological examination of the state and the materials for a new map thus be collected without any or by a very trifling augmentation of expense to the public.

Your committee have attempted to exhibit in a very rapid and cursory examination, some of the objects contemplated and the benefits hoped to be derived from the proposed measure. They feel a conviction that the cause of science would be cherished and the essential interests of the state advanced by an appropriation to this purpose, did the condition of our public finances warrant the expenditure.

The best light your committee can obtain on this subject brings them to the conclusion that the sum of at least \$10,000, would be required to,

accomplish the work with any degree of usefulness or efficiency. Your committee cannot persuade themselves that under the existing embarrassments of the state, an appropriation to the contemplated object, of that magnitude, would be authorized by the public sentiment. They believe that every consideration of sound policy suggests that the project should not be engaged in until the means of the state are competent to its performance on a liberal and extended scale. They are therefore constrained to report against the expediency of providing at this time for the object contemplated in the resolution. Your committee fully appreciate the importance of the subject, and the propriety of directing the public mind to its consideration. They cherish the expectation, that under more auspicious circumstances, the measure will be sanctioned as well by public opinion as by the action of the legislature.

To the end that a future general assembly may act with better data in reference to the subject, your committee beg leave to report the following resolution :

Resolved, That the Governor be requested to procure an estimate of the probable expense of a Geological and Topographical survey of the state, and report the same to the next general assembly.

WINSLOW C. WATSON, for committee.

MR. HAMMOND, from the committee on finance, to whom was referred a bill from the House of Representatives, entitled "an act to provide for the receipt and distribution of the public money of the United States which may be deposited with this state," submitted the following

REPORT :

The bill on which your committee is to report is as follows,—

Sec. 1. *It is hereby enacted by the General Assembly of the State of Vermont,* That the treasurer of this state be, and he is hereby, authorized to receive from the Secretary of the Treasury of the United States all the money which is directed to be deposited with the state of Vermont, by virtue of the provisions of an act entitled "an act to regulate the deposits of the public money," passed by the Congress of the United States, at the session thereof now last past, and approved by the President on the twenty-third day of June, anno Domini one thousand eight hundred and thirty-six : and the said treasurer of this state is hereby directed and empowered to execute and deliver to the said Secretary of the Treasury of the United States certificates of deposit for said money, pledging the faith of this state for the safe keeping and repayment thereof, in accordance with the provisions of said act.

Sec. 2. *It is hereby further enacted,* That the said money, so soon as the same, or any portion of it, shall be received by the treasurer of this state, shall be by him deposited with the town treasurers, or such other person or persons as the several incorporated towns in this state shall appoint for that purpose, at any legal meeting in said towns, held for that purpose, in proportion to the respective population of each town, as ascertained by the census last taken under the authority of the United States.

Provided, such towns shall, at any legal meeting warned and holden for that purpose, vote to receive said proportion.

SEC. 3. *It is hereby further enacted,* That the respective town treasurers, or such other person or persons as the said towns shall appoint for that purpose as aforesaid, on receiving the said money, shall execute and deliver to the state treasurer certificates of the deposit of the same, in such form as the said state treasurer is required to execute to the Secretary of the Treasury of the United States, agreeably to the provisions of the act mentioned in the first section of this act; and the several town treasurers, or such other persons as may be authorized to receive said money, shall severally, and before they receive the same from the state, execute to the inhabitants of their respective towns good and sufficient bonds, with two or more sureties, conditioned for the safe keeping of the money they may so receive according to law. And each town shall be holden to repay into the state treasury the amount of money so received by said towns, whenever such payment shall be required by the Secretary of the Treasury of the United States.

Provided, That if the Secretary of the Treasury of the United States shall call for only a part of the money at a time, so received by this state, the several towns receiving the same under the provisions of this act shall be liable to pay only their proportion of the amount so called for.

Provided, also, That nothing herein contained shall be considered as making the said towns liable for the payment into the state treasury of any interest for the use of said money.

SEC. 4. *It is hereby further enacted,* That it shall be lawful for the several towns in this state, by vote of the inhabitants of such towns, at their annual town meetings in March next, or at any other town meeting, legally warned for such purpose, to decide in what manner to dispose of the principal, and for what purpose to appropriate the interest of that portion of the public money which may be received by such towns.

The money to be received from the Government of the United States and which this bill regards, needs to be considered under two aspects *one* in reference to the government of the United States; and the *other* in reference to the people of this state.

1. The conditions on which the money is to be distributed by the General Government forbid its being looked upon in any other light than as a *loan* without interest to those states which shall receive it,—a loan resting on the strong ground of *international faith* for its repayment whenever demanded.

2. Whatever opinions may exist as to the probability of its being called for hereafter, every principle of honor and common honesty demands that we receive it in view of such probability and dispose of it in such a manner that if the demand for its repayment should arise, the state may promptly meet the demand and redeem its plighted faith.

3. The State must then preserve the *principal sum in an available form*, making use of the nett income thereof only; or, if the principal be made use of, it must be done under the expectation of raising the sum when wanted, by *direct tax*, or of hiring it on the faith of the state, thus becoming a *payer* of interest instead of a *receiver* of it.

4. It might be shown that a regard to the best interests of the United States, would point to the first method as the desirable one; but this consideration may be waived, and it may be admitted for the present, that so far as the relations of the state of Vermont to the United States

are concerned, it is sufficient if the former holds herself *bound* and *able* to pay her debt in any way which may best suit herself.

5. But so far as the transaction concerns the people of this state, the case is very different. To them it is a question of vast importance whether they shall keep the principal sum of this loan entire and untouched—using only the income from it, or expend the principal and place themselves and their posterity in a situation to be taxed directly for the full sum, or to be obliged to hire the money and thus pay the *interest forever*, the interest having to be raised also by *direct tax*.

The first mode (*viz*: preserving the principal) is the only one which will probably find advocates.

6. In what manner does the bill under consideration, provide for the safe keeping of the principal, and the disposal of its income? These are the two great questions to be considered and acted upon.

According to the provisions of the bill, the state treasurer is to receive the money from the government of the United States and *pledge the faith of the state* for the repayment of the same,—he is then to deposit it with the town treasurers or such other persons as the several incorporated towns in this state shall appoint for that purpose, in proportion to the respective population of each town as ascertained by the census of 1830, provided such town shall vote to receive the same. And the receiving officers of the towns shall give the State treasurer certificates of such deposit conformably to the certificates which the latter may be required to give to the Secretary of the Treasury of the United States, and each town shall be holden to repay into the state treasury the amount of money so received by said town, whenever such payment shall be required by the Secretary of the United States. If he calls for but a part, the towns are to pay in proportion.

7. If this proposed disposal of the money be looked at only in regard to the *safe keeping* of the principal, it will be seen to involve all the complicated relations of the towns and town officers, both to the state and to the individuals who may hire the money—relations presented under the *novel* aspect of the towns acquiring money virtually by loan for no definite purpose which their corporate existence might authorize them to have in view, and loaning the money so acquired to others. Numerous and grave questions respecting legal responsibilities cannot but arise, the dangers and vexations of which (very inadequately guarded against, by the bill, to say the least,) ought to be wholly avoided unless there is a strong necessity for encountering them:—the more so because the relations of the state, the towns and individuals who may be concerned, will be only *legal relations*, and in no degree those of *international faith*.

8. But omitting in this place any further inquiry whether the principal will be safely kept for the state, if deposited with the towns as the bill provides, it may be granted for the present that it will be. The second question then arises: “since the income arising from the principal, and that only belongs to the state—that is to all the people of the state—and of course, this yearly income should be so distributed as to *benefit all*, can this end be obtained by the mode pointed out in the bill?” An examination of the census of 1830, according to which the distribution is to take place, will furnish an answer to this question. From this examination it appears that *seven* towns would receive more money than all the towns in the three counties of Grand Isle, Essex and Orleans before the formation of Lamoille; yet neither of the seven is within those counties. It appears also that any one of the seven would receive as

much, within a small fraction, as all the towns in either Grand Isle or Essex counties. It further appears that some individual towns would receive more than *twenty* or *more* towns which can be selected in the state.—Again it appears that *thirty* towns would receive very nearly one third as much as the remaining towns in the state.

Had there been no change in the relative population of the towns in the state since 1830, and were there to be no special changes hereafter, the equity of the distribution might be admitted. But changes have already taken place to a great extent and are progressive—so that many towns inferior in population to others in 1830, will soon far exceed them. Thus no progress of time will tend to equalize the distribution proposed in the bill, but to aggravate the inequalities. Hence by the bill the fewer persons will receive the *more money* from year to year, and this often in a highly increasing ratio. The injustice of this needs only to be distinctly seen, in order to be disapproved of.

But this is not all on this point. If in any town the money so placed in trust, shall ever be lost from any cause whatever, then if the same be ever collected from said town, in many if not most instances, payment will be enforced from them who neither directly nor indirectly were benefitted by the loan. This, too, violates the common principles of natural justice.

Neither can it be said that the money in question was paid into the public treasury of the U. S. by the inhabitants of the towns mainly in proportion to the population of 1830, and therefore the like disposition of the loan among the towns will dispense its benefits equitably. For in the first place, this argument proves too much. By it, the right to enjoy the benefits of the money is the right of an *individual*, in his personal capacity, and not that of a citizen barely. To be consistent in the application of the argument, the money should be secured to *individuals*, their *heirs*, and *assigns*, and not to the present inhabitants of towns and to the persons who may hereafter be inhabitants of them. But in the second place the money to be used has not been derived from the labors of the inhabitants of the state in 1830, or even from the present generation. The foundation of the distribution by the United States is acknowledged by all to be the income from the public domain, and this was acquired by the efforts and blood of our forefathers and left by them to benefit posterity. Moreover the same argument demands that the old thirteen states alone should have been regarded in the distribution.

9. It may be said that the injustice of the proposed distribution may be sufficiently obviated by providing in an amendment of the bill, that either at stated periods, or when the legislature shall see fit, the money shall be called into the treasury of the state and distributed again according to the population at these different times. Serious difficulties would attend such a proceeding. It would bring up at once all the different *legal questions* which could arise from demanding the money, and this would be repeated with every repetition of the call. The evils to be apprehended by the multiplication of entangling law suits on novel relations of towns and town officers, the state and its officers, are too great to be incurred without an absolute necessity for it. That the towns of this state will *readily acquiesce* in the distribution as proposed, or if it should be made, will readily consent to make a *new one* every few years or even *once*, is not to be believed by any one at all acquainted

ed with the history of legislation either in our own, or in other countries.

10. Laying aside, however, the bare question of *justice* in the distribution, as well as the question of *safe keeping* of the principal for the state, there are other considerations of moment connected with the proposed transaction.

All sound legislation proceeds upon this principle in regard to *financial concerns*, viz: not only to take care of and expend the public treasure for the good of all the community, but in raising money for public purposes, to do it in such a manner as to interfere as little as may be with the daily business concerns of the individuals composing the body politic. This principle is proceeded upon the *more perfectly* as a people are the *more free*.

In the apprehension of your committee, it would be difficult to conceive of a mode of placing out so large a sum of money as the one in question and gathering it in again if it should be needed, which would more effectually harass the community and place the government of the state and that of the United States in a more odious position to its citizens, than the one proposed in the bill.

11. There seems to be no reason why the state should pursue any different course with the money in question than with any other money which the state owns or ever may own, the principal of which it might be intended never to spend. This state has, and other states have funds, the *income* of which is from time to time to be appropriated for the general benefit, but a disposition of these funds in any such manner as is contemplated in the bill before us, has never been attempted. It is not believed that such a course was ever pursued by any government whatever. Certainly, such a total departure from all established principles of financial legislation as is here proposed, ought not to be made without long and patient deliberation, and the most cogent reasons in its favor.—None such appear.

Other weighty considerations might be presented here, having a bearing unfavorable to the main principle of the bill. Some of these will appear in a subsequent part of this report. It is sufficient to say in this place that your committee *cannot* recommend to the Senate to concur in a measure which, in their view, (however well intended by them who have thus far favored it,) is calculated to subvert justice—to scatter the seeds of dissention in every neighborhood in the state—to plant a root of bitterness in its legislative halls which ages cannot extirpate—and, in fine, to cause that the very fruits of the toils and sacrifices of our forefathers, which if wisely dispensed will serve forever to benefit them who come after them, and help to establish the great principles for which they struggled and freely poured out their blood, shall prove to their posterity a perpetual curse.

12. In proposing an amendment of the bill before us, two things need to be kept steadily in view. The *first* is the *safe keeping* and *productiveness* of the money; and the second is the *great* end to be regarded in the appropriation of the yearly income, viz: a general and equal distribution of its benefits among the people of the state.

13. As regards the first of these points there appear to us many strong reasons for placing the money in the form of *stocks* to be *owned by the state*.

Some of these we will mention.

1. All experience shows that it is as safe a mode of investment as is known.

2. It can be managed with far greater *ease* and *economy* than in any other mode, and its condition can be ascertained and made known at any moment with the greatest facility.

3. It will produce a greater annual income, probably one third greater, than from any other investment.

4. This income will be paid with far greater regularity than in any other way.

5. If occasional losses of capital arise, they can be made good with the least possible trouble from the income, and thus the principal can be kept constantly full. The *losses* as well as the nett income can be easily distributed upon all alike.

6. The stocks if thought best, may be created in connexion with existing banks or otherwise. In this case the number of persons in the state who would be favored by the *use* of the money for which they would pay the interest, afterwards to be applied to the benefit of all, would be vastly greater than the number of such persons under the proposed bill. As a matter of course, most towns that shall aim faithfully to preserve the principal, will endeavor to loan it on mortgage and for the *longest* time possible. Of course the *fewest* persons possible will have the use of it. The active and enterprising, the persons of small means but good character, who need small sums for short times, and for which they can easily offer good personal security, will be almost entirely excluded from its use.

7. The paying out of the income from year to year will be attended with less trouble and expense—less risk of loss by bad money or otherwise to the receivers, than in any other mode whatever.

8. If the government of the United States shall ever call for the money or any part of it, not the slightest difficulty will attend the payment of the same. The stocks would of course be sold to such persons as might have money to invest, and not a single person need to be troubled in his pecuniary concerns. In fact a simple transfer of stocks from the credit of the state to the credit of capitalists and the passing of drafts from their credit to the treasurer of the United States would do the whole business. To a great extent the stocks would still remain in the state, if not wholly. The *income* to the state treasury, and its distribution among the people would cease of course, and this result would follow any arrangement.

9. The necessity of an enlargement of the active capital in the state, corresponding to the rapid extension of the business of its citizens, is already felt. By the creation of stocks for the employment of the public loan, this object can be effected without the least difficulty. Any profit which would arise to capitalists from the creation and sale of new bank stocks—much of which would be enjoyed by foreign capitalists,—will under such an arrangement, pertain to all the citizens of this state, being received in the shape of increased income so long as the state owns the stock, and in the advance over the original par value, on the sale of the stock, if the loan shall be ever called in by the United States.

10. Did time allow, other important considerations might be suggested favoring the views of your committee as to the general character of the investment which they think will prove most advantageous to the state. But to digest a plan for the formation and placing of such a stock, and to frame a bill, the provisions of which shall most effectually accomplish the desired objects, demand an amount of careful investigation and reflection which, at this late period of the session, it is not in

their power to give; and to discuss which with that fulness that the importance of it calls for, is presumed to be as little within the reach of the legislature. The most that we can do is to provide for the temporary safe keeping and employment of it in different parts of the state in such manner as shall diffuse most widely the benefits of its use, and on as advantageous terms in regard to the payment of interest as such temporary employment will admit of, awaiting the action of some future meeting of the general assembly on a more *permanent* arrangement.

11. In reference to an appropriation of the *income* from the money to be received, however gratifying it might be to your committee to have it in their power to propose a plan for such appropriation, they must assign the same reason for their inability to do so. It is a subject of too great consequence to be acted upon with precipitation, and they would leave it to the deliberations and decisions of a future day.

Your committee respectfully propose to amend the bill as follows :

Strike out after the word "*the*" in the fourth line of the second section, and insert the following, viz :—" *several banks in this state* in proportion to the capital stock of each bank actually paid in, which will give good and satisfactory security for the safe keeping of said money and the repayment thereof with the interest of the same, at the rate of not less than five per cent. per annum, at such time as a future general assembly shall by law direct."

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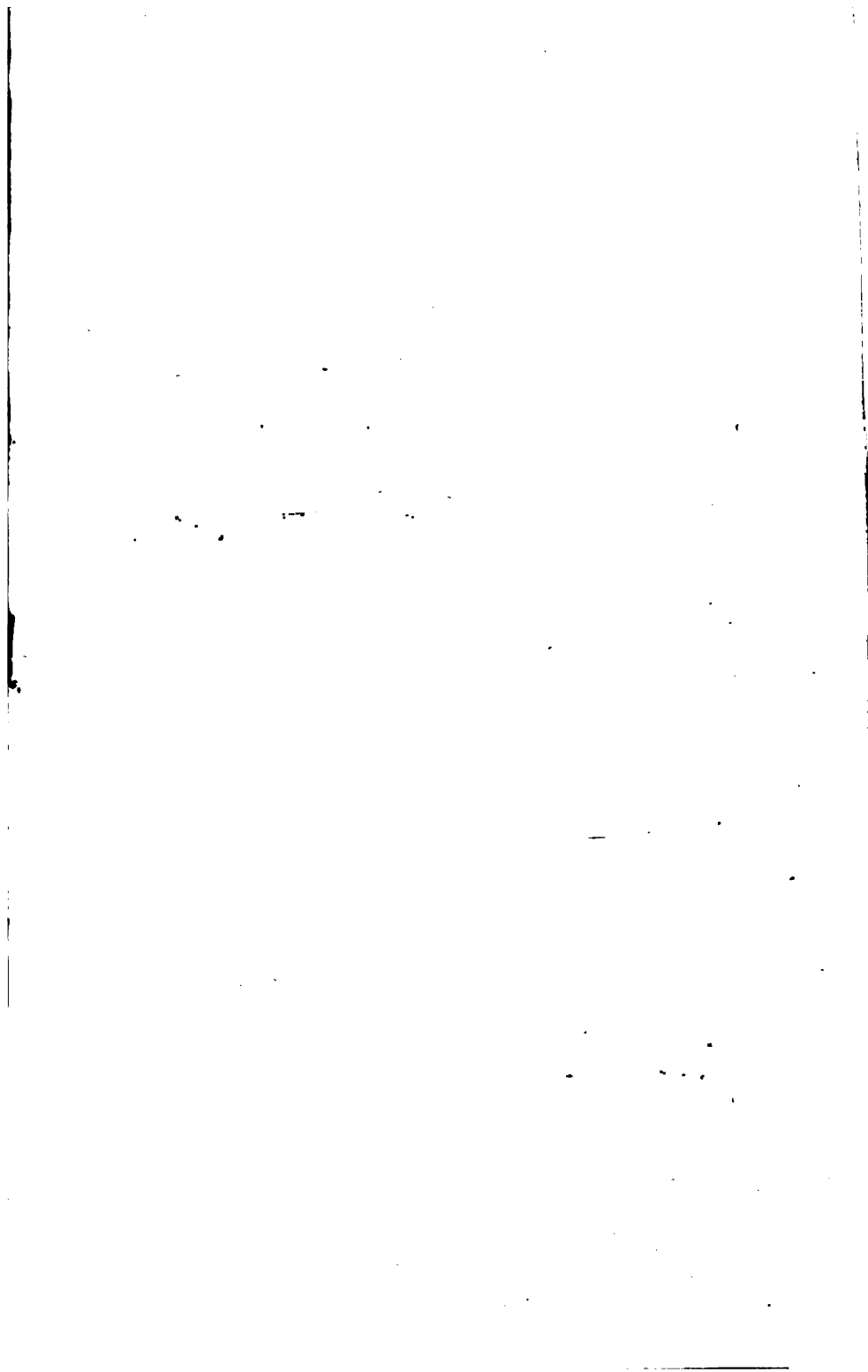
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Journal of the Senate of Vermont.—1837.

JOURNAL

OF THE

SENATE

OF THE

STATE OF VERMONT,

OCTOBER SESSION,

1837.

PUBLISHED BY AUTHORITY.

Montpelier,

E. P. WALTON & SON, PRINTERS.

1837.

JOURNAL.

AGREEABLE to the provisions of the constitution, the Senate of the State of Vermont convened at the state house in Montpelier, on the second Thursday of October, (being the twelfth day of the month,) in the year of our Lord one thousand eight hundred and thirty-seven.

His Honor, the Lieutenant Governor, took the chair as President of the Senate.

The following named senators, having produced their credentials, were sworn and took their seats, viz :

| | |
|--------------------------------|---|
| <i>Bennington county</i> | NATHAN BURTON, HEMAN SWIFT. |
| <i>Windham county</i> | PHINEHAS WHITE, WAITSTILL R. RANNEY, JOHN PHELPS. |
| <i>Rutland county</i> | ROBERT PIERPOINT, ZIMRI HOWE, THOMAS D. HAMMOND. |
| <i>Windsor county</i> | JULIUS CONVERSE, WILLIAM STEELE, FRANCIS E. PHELPS. |
| <i>Addison county</i> | EBENEZER N. BRIGGS, HARVEY BELL, VILLEE LAWRENCE. |
| <i>Orange county</i> | LEBBEUS EDGERTON, JONATHAN JENNESS, DANIEL COBB. |
| <i>Chittenden county</i> | JOHN VAN SICKLEN, JUN., HARRY MILLER. |
| <i>Washington county</i> | ARAUNAH WATERMAN, NEWELL KINSMAN. |
| <i>Caledonia county</i> | JOSEPH H. INGALLS. |
| <i>Franklin county</i> | NATHAN SMILIE, TIMOTHY FOSTER, HORACE EATON. |
| <i>Orleans county</i> | AUGUSTUS YOUNG. |
| <i>Essex county</i> | WILLIAM HEYWOOD, JUN., |
| <i>Grand Isle county</i> | JOEL ALLEN. |

On the nomination of the President, the following named Senators were appointed a committee, on the part of the Senate, to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer,

for the year ensuing, viz: Messrs. Burton, White, Hammond, Phelps of Windsor, Lawrence, Egerton, Miller, Kinsman, Ingalls, Smilie, Young, Heywood and Allen.

On motion of Mr. Hammond,

Ordered, That the rules adopted for the government of the Senate, at the last session, be the rules of the Senate, at the present session.

Mr Howe introduced the following resolution:

Resolved, the house of representatives concurring herein, that the members of both houses meet, in county conventions, on Friday next, at three o'clock in the forenoon, for the purpose of making nominations for county officers, and that both houses meet in joint assembly, on Saturday next, at ten o'clock in the forenoon, for the purpose of electing such officers.

Which was read and passed.

On motion of Mr. Howe,

Ordered, That his Excellency the Governor, be informed by a member, that the Senate is assembled and is ready to receive any communication he may be pleased to make.

Mr. Howe was appointed to perform this service.

On motion of Mr. Howe,

Ordered, That the Senate proceed to the election of a chaplain for the present session.

The ballots for chaplain, having been taken and examined, Rev. Bu-el W. Smith was elected.

On motion of Mr. Howe,

Ordered, That the senate proceed to the election of a secretary and assistant secretary of the senate, for the year ensuing.

The ballots having been successively taken and examined, Norman Williams was elected Secretary and William Weston was elected assistant secretary. And they were, severally, duly sworn.

On motion of Mr. Hammond,

Ordered, That the election of sergeant at arms and assistant door-keeper be now made.

Whereupon, the ballots having been successively taken and examined, Abel Carter was elected sergeant at arms and Erastus Hubbard was elected assistant door-keeper. And they were, severally, duly sworn,

A message from the House of Representatives by Mr. Miner, their clerk.

MR. PRESIDENT:—A quorum of the House of Representatives have assembled and the House is organized by electing Solomon Foot, Esq. speaker pro tempore, and A. L. Miner, clerk, pro tem. and are ready to proceed to business.

The House of Representatives were informed by the secretary of the Senate, that the Senate had assembled and also had appointed, on their part, a committee to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer of this State, for the year ensuing.

On motion of Mr. Converse,
Ordered, That when the Senate adjourn it adjourn to meet at three o'clock this afternoon.

A message from the House of Representatives by Mr. Fairbanks, a member:

MR. PRESIDENT :—The House of Representatives have, on their part, appointed a committee to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer of the state, for the year ensuing.

Mr. Phelps of Windsor introduced the following resolution:

Resolved, That the secretary of the Senate be required to furnish three daily and two weekly papers, published at Montpelier, to the president, each member and the secretaries of the Senate, such as each may designate, during the session of the legislature.

Which was read and on motion of Mr. Phelps of Windham,

Ordered, that it be laid on the table.

A message from the House of Representatives by Mr. Miner, their clerk:

MR. PRESIDENT :—The House of Representatives have passed a resolution assigning a time for a joint assembly, for the election of a secretary of state.

The said resolution is as follows :

Resolved, the Senate concurring herein, that both houses meet in joint assembly, on Friday morning next, at ten o'clock, for the purpose of electing a secretary of state, for the year ensuing.

Mr. Pierpont moved to amend said resolution by inserting, after the words *secretary of state*, the words, *and judges of the supreme court*.

And the question being taken thereon, was decided in the affirmative.

The said resolution, as amended, was read and passed.

The Senate adjourned,

AFTERNOON.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT :—The House of Representatives have passed a resolution, assigning a time for the meeting of both houses in joint assembly, for the purpose of receiving the report of the canvassing committee.

The said resolution is as follows :

Resolved, The Hon. Senate concurring herein, that the two houses meet in joint assembly, this afternoon at four o'clock, in the Representatives' Hall, for the purpose of receiving the report of the committee appointed to canvass the votes for Governor, Lieutenant Governor and Treasurer.

Which being read,

Resolved, That the Senate concur therein.

Mr. Hammond introduced a bill entitled "an act in relation to the discharge of mortgage deeds."

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Howe introduced the following resolution:

Resolved, the House of Representatives concurring herein, that the secretary of the Senate and clerk of the House of Representatives, procure to be published, for the use of the members of both houses, four hundred copies of a directory, similar to the one published at the last session of the legislature.

Which was read and passed.

Mr. Phelps of Windsor, called up the resolution introduced by him in the forenoon, directing the furnishing of newspapers to the members of the Senate,

And on the question, shall the resolution pass? the yeas and nays, being required by Mr. Smilie, were as follows:

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Converse, Eaton, Foster, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windsor, Ranney, Steele, Swift, Van Sicklen, White, Young—19.

Those who voted in the negative are

Messrs. Cobb, Egerton, Heywood, Ingalls, Jenness, Kinsman, Phelps of Windham, Smilie, Waterman—9.

So it was determined in the affirmative.

Mr. Converse introduced the following resolution:

Resolved, the House of Representatives concurring herein, that both houses meet in joint assembly, in the Representatives' Hall, on Friday the 13th inst. at ten o'clock in the forenoon, for the purpose of electing a Treasurer of the State of Vermont, for the year ensuing.

Which was read and passed.

The Senate adjourned.

FRIDAY, OCT. 13, 1857.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT:—The House of Representatives concur with the Senate in passing a resolution for a joint assembly, for the election of Treasurer,—and a resolution for the holding of county conventions and the election of county officers. They also concur with the Senate in the amendments proposed to the resolution, assigning a time for the election of secretary of state.

His Honor David M. Camp, signified to the Senate his acceptance of the office of Lieutenant Governor, and the oaths of office were administered to him, by the secretary of the Senate.

Mr. White introduced the following resolution:

Resolved, That the Senate do now proceed to appoint the standing committees agreeable to the rules of this body,

Which was read and passed,

Whereupon, the Senate proceeded to ballot for the standing committees and the following were appointed, viz :

On Finance.—Messrs. Hammond, Steele, Van Sicklen.

On the Judiciary.—Messrs. Briggs, Phelps of Windham, Converse.

On Claims.—Messrs. Pierpoint, Howe, Burton.

On Education.—Messrs. Bell, Swift, Eaton.

On Agriculture.—Messrs. Palmer, Ingalls, Jenness.

On Manufactures.—Messrs. Miller, Waterman, Allen.

On Elections.—Messrs. White, Cobb, Foster.

On Rules.—Messrs. Briggs, Kinsman, Pierpoint.

On Military Affairs.—Messrs. Phelps of Windsor, Lawrence, Edgerton.

On Roads and Canals.—Messrs. Young, Ranney, Kinsman.

On Banks.—Messrs. Porter, White, Howe.

On Land Taxes.—Messrs. Smilie, Swift, Heywood.

Mr. Howe presented a memorial of ladies of Castleton, against licences for the sale of ardent spirits.

Mr. White presented a memorial on the same subject, from ladies in Putney, and another from inhabitants of Putney.

On motion of Mr. Pierpoint,

Ordered, That said memorials, and all on the same subject, be referred to a select committee of three, to be appointed by the chair.

Whereupon the President appointed, as such committee, Messrs. Pierpoint, White and Young.

The following communication from His Excellency the Governor, was received and read:

EXECUTIVE CHAMBER, }
Montpelier, Oct. 13, 1837. }

TO THE PRESIDENT OF THE SENATE:

SIR: I have the honor to inform the Senate, that George B. Manser, Esq. of Montpelier, is appointed secretary of civil and military affairs: and that, at two o'clock this afternoon, I propose transmitting to the Senate my executive communication.

I am, sir, very respectfully,

Your obedient servant,

S. H. JENISON.

Mr. Ranney presented the memorial of inhabitants of Townshend, which was referred to the committee on the memorial of ladies of Castleton.

The Senate adjourned.

AFTERNOON.

The Hon. Samuel W. Porter, a senator from the county of Windsor, appeared and was duly qualified and took his seat.

Mr. Briggs, from the committee on Rules, reported the following as the

Rules of the Senate.

1. The credentials of Senators shall be presented to the Secretary or Assistant Secretary previous to nine o'clock in the morning of the 2d Thursday of October, at which time the Senate shall be called to order. The names of the Senators shall be called over, and when a quorum shall have taken their seats, they shall, having first taken the necessary oaths, on nomination of the President, appoint a canvassing committee consisting of one Senator from each county, to join such committee as the House of Representatives may appoint, whose duty shall be to receive, sort and count the votes for Governor, Lieutenant Governor and Treasurer, and make report thereof to the Joint Assembly of both Houses.

2. The Senate shall meet every day (Sundays excepted) at 9 o'clock in the morning, and 2 o'clock in the afternoon, unless otherwise specially ordered.

3. The President having taken the chair and a quorum being present, the journal of the preceding day shall be read and all errors therein corrected.

4. In case no quorum shall assemble within fifteen minutes after the time to which the Senate was adjourned, those present shall have power to send the Sergeant-at-Arms or other officer after the absentees, and compel their attendance.

5. Whenever the Senate shall assemble according to adjournment, or at the commencement of a session, and the President shall be absent, it shall be the duty of the Secretary, if present, if not, of a Senator, to call to order, and the Senators present if a quorum, shall by ballot, elect a President pro tempore.

6. No Senator shall be absent without leave, unless he is sick or otherwise necessarily detained.

7. No Senator shall audibly speak to another, or otherwise interrupt the business of the Senate while the journals or other public papers are being read, or while a Senator is orderly speaking in debate.

8. Every Senator when he speaks shall, standing in his place, address the President, and when he has finished, shall sit down.

9. No Senator shall speak more than twice on the same question without leave of the Senate, and Senators, who have once spoken, shall not again be entitled to the floor (except for the purpose of explanation) to the exclusion of another who has not spoken.

10. In all cases, the Senator first arising and addressing the President (subject to the restriction of rule 9,) shall be entitled to the floor, and when two or more arise at the same time, the President shall name the one who is to speak.

11. When a Senator shall be called to order, he shall sit down, and every question of order shall be decided by the President without debate, subject to an appeal to the Senate.

12. If a Senator be called to order, for the words spoken, the exceptionable words shall be immediately taken down in writing, by the Senator calling to order, that the President may be better enabled to judge of the matter.

13. The first hour of each morning's sitting may be devoted to the reception and disposal of petitions, memorials, remonstrances, motions, resolutions, and the introduction of bills; after which the orders of the day or other proper business shall be announced, always commencing with the unfinished business of the last sitting. The first hour of the afternoon's sitting may be occupied in the receiving and disposing of reports of committees and in completing the business of the morning hour; at the expiration of which the Senate will again take up the orders of the day.

14. Reports of committees may be signed by any member in behalf of the committee, and shall be by him presented to the Senate when a call for reports is made. The signer of each report shall be held responsible for the accuracy of its statements and the propriety of its language, and when the same shall be under consideration, he shall be further liable to give additional statements of facts or other explanations, in answer to the call of any Senator.

15. The proceedings of the Senate, except when acting as in Committee of the Whole, embracing the titles of bills and such parts thereof as may be affected by proposed amendments, and also the names of Senators and the votes which they give on every question decided by yeas and nays, shall be by the Secretary accurately and concisely inserted in the journals.

16. The Senate shall annually, within the first four days of actual sitting, elect by ballot, (and a majority of all present shall be necessary to a choice,) a Secretary, an Assistant Secretary, who shall be *ex-officio* Engrossing Clerk, a Sergeant-at-Arms, who shall be *ex-officio* door-keeper, and an Assistant Door-Keeper, who shall be *ex-officio* Messenger, who shall severally be sworn to the faithful discharge of their duties, and shall hold said offices until superseded by a new election. The Senate shall also, within the same time elect the following standing committees, to consist of three members each, to wit: On Finance,—on the Judiciary,—on Claims,—on Education,—on Agriculture,—on Manufactures,—on Elections,—on Rules,—on Military Affairs,—on Roads & Canals,—on Banks, and on Land Taxes.

17. In the appointment of committees, (except the one mentioned in Rule 1,) the Senate will proceed by ballot severally to appoint the chairman of each, and then by one ballot the other members necessary to complete the same. In the election of a chairman a majority of the votes given shall be necessary, but for the others a plurality shall be sufficient. *Provided*, The Senate may, without formally suspending this rule, direct a select committee to be appointed by the President.

18. All bills, after the second reading, and all petitions, memorials, remonstrances, resolutions and other papers calling for legislative action, [except such as have been reported by a committee,] no objection being made, shall be referred by the President to appropriate committees.

19. Before any resolution, any petition or other paper addressed to the Senate, shall be received and read, whether the same shall be introduced by the President or a Senator, the title shall be fairly endorsed thereon, and a brief statement of its object or contents shall be made by the introducer.

20. Every motion shall be reduced to writing by the mover, if required thereto by the President or a Senator, and a motion to lay another motion, the latter not in writing, on the table, or otherwise to dispose of it, shall not be in order.

21. Every bill shall receive three readings before it is passed; the President shall give notice at each reading whether it be the first, second, or third; the last of which readings of public bills shall be at least twenty-four hours after the first reading, unless the Senate unanimously direct otherwise. *Provided*, That private bills shall be read the second time by their title. Resolutions requiring the approbation and signature of the Governor shall be treated in all respects as bills.

22. On the demand of a Senator, public bills after a second reading, shall be considered by the Senate as in committee of the whole.

23. The final question upon the second reading of every bill which originated in the Senate shall be, 'Shall this bill be engrossed and read a third time?' No amendment shall be received at the third reading, but it may be committed for amendment at any time before its final passage.

24. Motions on bills and resolutions shall be sustained in the following order: 1. To postpone indefinitely. 2. To lay upon the table. 3. To commit. 4. To amend.

25. A call for the previous question shall not at any time be in order. A motion to adjourn shall always be in order, and shall be decided without debate.

26. If the question in debate contain several points, the same shall be divided on the demand of a Senator. A motion to strike out and insert shall not be divided, but the rejection of a motion to strike out and insert one proposition shall not preclude a motion to strike out and insert a different one, or a motion simply to strike out, nor shall the rejection of a motion simply to strike out, prevent a subsequent one to strike out and insert.

27. In filling blanks the largest sum and the longest time shall be first in order.

28. When the reading of a paper is called for and the same is objected to by a Senator, the question shall be determined by a vote of the Senate.

29. The yeas and nays shall be taken on the call of a Senator, and every Senator present shall vote unless excused by the Senate; but no Senator shall be compelled to vote who was absent when the question was stated by the President, nor shall any one be permitted to vote who was absent when his name was called, nor after the decision of the question has been announced from the chair.

30. No Senator in the minority, nor one who did not vote in the decision of a question, shall have a right to move a reconsideration thereof; nor shall any motion for reconsideration be in order, unless made before the close of the next day of actual sitting of the Senate after that in which the vote was taken, and before the bill, resolution, report, amendment, address or motion upon which the vote was taken, shall, in the regular progress of business, have gone out of the possession of the Senate.

31. On all questions in the decision of which, a simple majority is required, when the Senate is equally divided, the Secretary shall take the casting vote of the President. In all such cases, a motion for reconsideration, if made in time, shall be in order from any Senator who voted on the question.

32. The President shall have the right to call upon any Senator to discharge the duties of the chair, when ever he shall find it necessary, temporarily, to retire; but such substitution shall not extend beyond more than one adjournment.

33. The Senate having taken a final vote on any question, the same shall not again be in order during the same session in any form whatever, except by way of reconsideration, and when a motion for reconsideration has been decided, that decision shall not be reconsidered.

34. No proposition to amend the rules of the Senate, or the joint rules of both houses, shall be acted on until the same shall have been before the Senate at least twenty-four hours.

35. Messages shall be sent to the House of Representatives by the Secretary or Assistant Secretary.

36. Reporters may be placed on the floor of the Senate, under the direction of the Secretary, with the approbation of the President.

37. No persons shall be admitted within the lobby of the Senate chamber except the Governor, Treasurer of the State, Auditor of accounts, members of the other house, Judges of the Supreme Court, Senators and Representatives in Congress, Ex-Governors and Lieutenant Governors, Ex-Judges of the Supreme Court, Ex-Senators and Representatives in Congress, District Judge and Attorney of the United States, members of other state Legislatures and such gentlemen and ladies as the President or a Senator may introduce.

38. When in session the Senators shall sit with their heads uncovered.

39. All gentlemen in the lobby and gallery shall sit with their heads uncovered, and upon any disorderly conduct in the gallery, the President may order the same to be cleared.

40. Whenever a bill or resolution is laid on the table by order of the Senate, and shall have remained on the table twenty-four hours, it shall be subject to be taken up by the chair and presented for the consideration of the Senate, without a call or order on the subject.

The following written message was received from the Governor, by Mr. Manser, secretary of civil and military affairs.

MESSAGE.

*Fellow Citizens of the Senate
and House of Representatives :*

UNDER the peculiarly embarrassing circumstances which have been operating upon the currency and business of the country for a few months past, it may have been expected and by some has been deemed my duty to have convened the Legislature in special session. My attention has been directed to the subject with anxious solicitude, and could I have come to the conclusion, that any act of the legislature would have afforded relief to our citizens, from the evils consequent upon the deranged state of the currency, equivalent to the trouble and expense of an extra session, I should have cheerfully assumed the responsibility of adopting that measure. But believing the unwise and unauthorized measures of the late executive of the General Government to have been the primary cause of producing the disastrous state of our monetary affairs, I could not flatter myself that any state legislation would cure the evil, or restore to us that safe, sound and convenient currency we had before enjoyed. To the General Government we must look for a remedy commensurate with the evil.

The citizens of our own state have suffered, as yet, perhaps less, than those of our sister states, still the business and credit of the country have received a shock, whose effects, if not averted by some measures of the General Government calculated to restore confidence in community, must result in consequences most destructive to the industry, enterprise and prosperity of our fellow-citizens. Our habits and commercial intercourse are such, that any attempt to transact the business of the country through the agency of the precious metals alone, would tend to unsettle and destroy the present relative value of property, and paralyze many of the great interests of the nation.

The several banks in this state, have, it is believed, rendered themselves liable to a forfeiture of their charters, by their suspension of specie payments. That measure, under the then existing circumstances was, perhaps, the only alternative which a prudent regard to the interests of commu-

nity could dictate. It was approved by the wise and considerate of all parties.

The question of legalizing this act of the banks, is one of intense interest to our whole people, and I trust it will be met, discussed and disposed of with all the wisdom, prudence and moderation to which, from its importance, it is entitled. The motive of the legislature in chartering these institutions was the promotion of the public good, and if any legislation upon the subject should be deemed expedient at this time, the interests and safety of community should be kept steadily in view.

A rigid enforcement of the penalties provided in the "act regulating the chartering of banks," would, doubtless, increase the difficulties of an already suffering people. It would destroy, for all general and beneficial purposes, a circulating medium, to which an uniform value is attached, and although this medium may be somewhat depreciated below the precious metals, still, it is one with which, by common consent, the indebtedness of individuals is discharged and the business of the country transacted.

Although the banks may have been led by the circumstances which preceded the suspension of specie payments throughout our country, to depart from what is considered by the undersigned, the proper and legitimate business of banks, and to make loans for purposes which ought always to be accomplished with real capital, and thereby lessened their ability to afford relief in time of pressure; yet, since the suspension, it is hoped they have been steadily engaged, so far as a due regard to the wants and exigencies of community would permit, in placing themselves in a situation to resume specie payments simultaneously with the banks in adjoining states. In this crisis great reliance has been placed upon the forbearance of our patriotic fellow-citizens, and it is a source of peculiar gratification to say, that thus far my expectations have been fully realized.

The past season has been marked as one not only of a peculiarly disastrous character, as it relates to the derangement of the currency, and the effects of that derangement upon all the great interests of the country, but it has presented the novel spectacle of a people whose pursuits are mainly agricultural, depending upon foreign nations not only for the products of manufacture, and the mechanic arts, but for

bread. This state of things ought not to be. The lesson will be duly appreciated by a discerning people. It admonishes to economy in our public, and industry and frugality in our private affairs.

No community, *exclusively* of an agricultural character, can maintain that independence and high standing, which are essential to the enjoyment of happiness. A dependence upon foreign nations for the *necessaries* of life, is derogatory to a free and intelligent people; and withal has, in times of national difficulties, a demoralizing tendency, which, by the wise and provident legislator will be foreseen and guarded against. Considerations of this character fully justify the policy heretofore pursued by our national government in promoting and encouraging, while in its infancy, the mechanical and manufacturing skill of our country, and continue to demand its fostering care. Efficient protection and encouragement, it is true, belong to the general government; still as freemen, as members of the great national family, it is our right, our duty, to express our convictions on the subject.

It will be recollected that a revision of our militia laws was earnestly urged upon the consideration of the last legislature. Another year's experience must have served to convince, if any thing were wanting, all whose attention has been drawn to the subject, of their utter inefficiency to secure the objects they were designed to accomplish. Although I am gratified in being able to say that there are some honorable exceptions; yet, upon the whole, it is believed, subordination and discipline have been upon the retrograde for several years past. Are not our militia laws wrong in principle? If those patriots and benefactors who laid the foundations for our free institutions were not mistaken when they said, "A well regulated militia is necessary to the security of a free state," no good reason can be urged why the burthens and expense of the system should not reach every individual, by whom the benefits of the system are enjoyed.

The exemption of the polls of those enrolled in the militia from a portion of the annual taxes, is scarcely an equivalent for keeping in their possession and in repair, the arms and equipments required by law; consequently all the time spent in obtaining that instruction and organization necessary to render the militia efficient, is an unjust tax levied upon those individuals who cannot, through favoritism or some other

means, obtain a discharge from enrollment. The effect of this manifest injustice in the operation of our laws, has been greatly to increase the number of exempts, and to render those who could not obtain discharges, impatient and dissatisfied under the restraints and burthens to which they were subjected.

Another evil which is deemed subversive of discipline and good order among our militia, is the manner now provided by law for the enforcement of the rules and regulations governing the same, and the collection of fines for delinquencies. Should all questions of this nature be referred to a board composed of commissioned officers, detailed for that service from each regiment or brigade, to whom all delinquencies should be reported by the several commandants of companies, it would secure an uniformity in decisions, which is very desirable.

The law of the last session authorising the executive to procure the mounting of several pieces of ordnance, for distribution to newly organized companies of artillery, has not been complied with. It was ascertained that two companies, to whom cannon and apparatus were distributed under the law of 1827, had some time since been disbanded, and consequently, the pieces and apparatus were liable to go to decay, not being in the care or custody of any person feeling an interest in their preservation. Orders have been given to the companies recently raised in Stow and Morristown, to take possession of those pieces.

Information has been received from the officer in command at the United States Arsenal at Vergennes, that the arms belonging to this state, deposited there, are in a bad condition, beginning to corrode. That being the case, economy would dictate a small appropriation to enable the Quarter-Master-General to have them examined, cleaned, and put in a good state for preservation.

In compliance with a resolution of the Senate, passed at its last session, requesting me to procure an estimate of the probable expense of a geological and topographical survey of the State, I have addressed several scientific gentlemen upon the subject, the result of which correspondence will be laid before you at a proper time.

Accident and the unaided enterprise of individuals, have developed many sources of wealth, in the mineral treasures of our mountains.

From what has been already brought to light by these means, we are fully warranted in presuming, that, if the aids of science should be brought to bear upon the subject, under the patronage of the State, and a thorough examination were had, with a view to its practical utility, important discoveries would be made, highly beneficial to the State. A spirit of scientific research would take the place of pretended knowledge in the art of searching for valuable mineral substances, and our citizens saved from the fruitless expenditure of much time and money. Surveys of a similar character have been prosecuted in several of the neighboring states, and are believed to have produced the most satisfactory results.

This is an object intimately connected with the prosperity and best interests of this State, and it is recommended that measures be taken for its early accomplishment. If its consequences should be such as are anticipated, it could not fail of affording profitable employment to many of our worthy citizens, who would otherwise leave the soil of their birth, to people the more fertile regions of the west.

The advantages of a Topographical survey of the State, may not, to a superficial observer, be very apparent, but still the time is not distant when the importance of the measure will be duly appreciated. The state of science calls for it, and its importance for practical purposes cannot be too highly valued. It would afford useful data in the location and survey of rail roads and canals, and if entered upon and prosecuted in the only manner in which a work of this kind should be done, would be productive of great public utility.

In accordance with "an act appropriating the sum therein mentioned for making certain surveys," I appointed, early in January last, John C. Holbrook, Esq. of Brattleboro', and Erastus Fairbanks, Esq. of St. Johnsbury, commissioners. Subsequently, the Hon. David M. Camp was appointed to supply the vacancy occasioned by the resignation of Mr. Fairbanks. The survey is understood to have been completed, and a report of the proceedings of the commissioners under the act will probably be transmitted for the information of the General Assembly during the present session.

Under the joint resolution requesting the executive to exchange copies of the reports of the judicial decisions of this for those of each of the other States, I have caused to be transmitted to the executive authorities of the several states a

part of the volumes of the Vermont Reports, and solicited an exchange. The favor will doubtless be reciprocated whenever their legislatures shall be in session.

During the recess of the legislature, I have received communications from several of our sister states, which will be laid before you at an early day.

It became my duty, by an act of the last session of the General Assembly to appoint some suitable person, to superintend the completion of the State House. In compliance therewith, I appointed A. B. Young, Esq., who had been employed as architect from the commencement of the building, whose report, when received, will be communicated to the General Assembly. It may be thought necessary to retain Mr. Young, the whole, or a part of the next season, to complete the building and its enclosures, and to carry out and perfect the original design. The building when thus completed, will prove a source of lasting credit to the taste and skill of the architect, and be highly creditable to our state.

I would respectfully refer you to my annual message to the last legislature, for some suggestions which are deemed highly important to the prosperity and usefulness of our common schools; they are the medium through which we reach the minds, and form the morals of the rising generation. Vermont has been liberal in providing the pecuniary means for the advancement of the interests of education; and it is due to ourselves and to posterity, that a wise and efficient application of those means should be made.

Other subjects may be presented for your consideration, demanding legislative action.

Confiding in your wisdom and prudence, I can promise a cordial co-operation, in whatever may tend to promote the prosperity of our state, or add to the security and happiness of its citizens. Convinced, as I am, that in a government, depending upon the moral power of the people, the best claim to support, is insured by a faithful performance of duty, I take this occasion to express to my fellow-citizens, through you, the deep sense entertained, of the importance of the trust committed to me, and to tender to them my grateful and respectful acknowledgments, for their repeated kindness and partiality.

SILAS H. JENISON.

Montpelier, Oct. 13, 1837.

On motion of Mr. Pierpoint,

Ordered, That the secretary be directed to procure one hundred and fifty copies of His Excellency's Message to be printed for the use of the Senate.

Mr. Pierpoint introduced the following resolution :

Resolved, That so much of the Governor's message as relates to the currency, be referred to the committee on banks ; so much as relates to common schools, to the committee on education ; so much as relates to the militia, to the committee on military affairs ; so much as relates to a geological survey, to the committee on education ; and so much as relates to agriculture, to the committee on agriculture.

Which was read and passed.

The Senate adjourned.

SATURDAY, OCT. 14, 1837.

Mr. Swift, on his motion, was excused from serving on the committee on Land taxes, and Mr. Jenness was appointed on said committee.

Mr. Phelps of Windsor, introduced the following resolution :

Resolved, That the committee on Agriculture be instructed to inquire into the expediency of granting a bounty on wheat raised in this state, and report by bill or otherwise.

Mr. Young presented the memorial of Reuben Mason and others, which was referred to the committee on the memorial of ladies of Castleton.

Message from the House of Representatives by Mr. Miner, their clerk.

MR. PRESIDENT : The House of Representatives concur with the Senate in passing a resolution relating to the publication of a directory.

Mr. Cobb introduced a bill entitled "an act to repeal an act relating to the bank committee or bank inspector,"

Which was read the first and second time and referred to the committee on banks.

Mr. Van Sicklen introduced a bill entitled "an act in addition to an act in relation to the choice and duty of town officers,"

Which was read the first and second time and referred to the committee on the judiciary.

The memorial of three hundred and ten ladies of Springfield ; of two hundred male inhabitants of Springfield, and of Enoch Davis and others, all against licenses for the sale of ardent spirits, were referred to the committee on the memorial of ladies of Castleton.

The Senate adjourned.

MONDAY, OCT. 16, 1837.

Mr. Phelps of Windham introduced the following resolution :

Resolved, That the committee, raised on the memorial of ladies of Castleton, be instructed to inquire into the expediency of passing an act for the prevention and punishment of drunkenness, and report by bill or otherwise.

Mr. Smilie introduced a bill entitled "an act for obtaining licenses to sell wines and spiritous liquors, and for keeping inns and houses of public entertainment."

Which were read the first and second time and referred to the committee on the memorial of ladies of Castleton.

Mr. White presented the memorial of Elisha S. Sabin, and seventy-six others, against licenses for the sale of ardent spirits,

Which was referred to the committee on the memorial of ladies of Castleton.

On motion of Mr. Edgerton, leave of absence was granted to Mr. Jenness, until Wednesday morning next.

Mr. Cobb introduced the following resolution :

Resolved, That the committee on the judiciary be directed to inquire what further relief ought to be granted to persons committed to jail on *mesne* process, and that they report by bill or otherwise.

Which was read and passed.

Mr. Porter introduced a bill entitled "an act to repeal an act relating to interest,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Van Sicklen introduced a bill entitled "an act directing the taxing of foreign bank stock,"

Which was read the first and second times and referred to the committee on finance.

Mr. Ranney introduced the following resolution :

Resolved, the House of Representatives concurring herein, That the joint rules of both houses, be amended by adding the following rule :—

In county convention, when the county comprises more than one probate district, the representatives of each district, respectively, in conjunction with all the Senators of the county, shall go into convention by themselves, for the nomination of judges of probate; such nomination, however, shall be subject to revision by the county convention.

Which was read, and according to the rule in such cases, laid on the table.

Mr. Phelps of Windsor introduced a bill entitled "an act establishing the flag of this state,"

Which was read the first and second time and referred to the committee on military affairs.

Mr. Young introduced the following resolution :

Resolved, That the committee on manufactures be instructed to inquire into the expediency of providing by law, for the health, education and morals of such children and minors as may, hereafter, be employed in manufacturing establishments in this state, and report by bill or otherwise.

Which was read and passed.

Mr. Heywood introduced the following resolutions:

1. *Resolved*, That so much of the act entitled "an act granting twenty-three thousand acres of land to the trustees of Dartmouth College and the trustees of Moore's Charity School," passed in the month of June 1785, as relates to said school, ought to be repealed.

2. *Resolved*, That the occupants of the aforesaid lands, or the persons to whom the same are leased, ought to have the privilege of purchasing the same, at a fair price, and that the proceeds of the sales and rents thereof should be distributed among the literary institutions of this state.

3. *Resolved*, That the committee on education are, hereby, instructed to report a bill or bills in accordance with the foregoing resolutions.

Which were read, and, on motion of Mr. Heywood,

Ordered, That the resolutions be laid on the table.

On motion of Mr. Converse,

Resolved, That the members of the joint committee on bills, on the part of the Senate be now appointed by the chair.

The President appointed as members of the said committee Mr. Bell, and Mr. Heywood.

The Senate adjourned.

AFTERNOON.

Mr. Phelps of Windsor, from the committee on military affairs, to whom was referred the bill entitled "an act establishing the flag of this state," reported said bill without amendment.

Ordered, That it be engrossed and read the third time.

Mr. Phelps of Windham introduced a bill entitled "an act in addition to an act entitled an act incorporating the village of Brattleboro'."

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Ranney moved to suspend the thirty-fourth rule for the purpose of taking up the resolution introduced by him this forenoon, amending the joint rules of the two houses,

And the question, being taken thereon, was decided in the affirmative.

The said resolution was taken up.

Mr. Briggs moved to amend said resolution by erasing after the words "all the Senators," the words, "of the county," and inserting in lieu thereof the words *residing in such district*.

On motion of Mr. Pierpoint,

Ordered, That said resolution be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT:—The House of Representatives have passed a resolution, assigning a time for a joint assembly, for the appointing of a committee to equalize the lists in the several counties:—also a resolution, assigning a time for a joint assembly, for the election of superintendent of the state prison, surveyor general, auditor of accounts against the state, three commissioners of the deaf and dumb, and an agent to set-

the concerns of the Vermont State Bank :—also a resolution relating to the distribution of the second volume of the laws of this state.

The first above mentioned resolution was taken up and is as follows :

Resolved, the Senate concurring herein, that both Houses meet in joint assembly this afternoon, at three o'clock, in the representatives' hall, for the purpose of appointing a committee, consisting of one member from each county, to equalize the general list of the several counties in this state.

And on the question, Shall the resolution pass? the yeas and nays having been demanded by Mr. Briggs, were taken and are as follows :

Those who voted in the affirmative are

Messrs. Allen, Cobb, Converse, Lawrence, Phelps of Windham, Phelps of Windsor, Porter, Ranney and Van Sicklen—9.

Those who voted in the negative are

Messrs. Bell, Briggs, Burton, Eaton, Egerton, Foster, Hammond, Heywood, Howe, Ingalls, Kinsman, Miller, Pierpoint, Smilie, Steele, Swift, White and Young—18.

So it was decided in the negative.

Mr. Ranney called up the resolution, relating to the amendment of the joint rules.

The question recurred on the amendment proposed by Mr. Briggs, and being taken, was decided in the affirmative, and the resolution was amended accordingly.

The question was then stated from the chair,

Shall the resolution pass? and being taken was decided in the negative.

So the resolution was rejected.

Mr. Howe, from the committee on banks, to whom was referred the bill entitled "an act, to repeal an act relating to bank committee or bank inspector," reported that the bill ought not to pass.

On motion of Mr. Cobb,

Ordered, That the bill be laid on the table.

Mr. Howe introduced a bill entitled "an act in relation to common schools,"

Which was read the first and second time and referred to the committee on education.

Mr. Ranney introduced the following resolution :

Resolved, That the committee on education be instructed to inquire into the expediency of enforcing, by suitable penalties upon school committees, the performance of their official duties, and report by bill or otherwise.

Which was read and passed.

Mr. Young introduced the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of appropriating the State House and its appurtenances wholly to the uses of the government and ordinary legislation of this state and the business incident thereto, in the manner contemplated by our plan or frame of government, and report by bill or otherwise.

Mr. Briggs moved to amend the resolution, by erasing therefrom the

words "the judiciary" and inserting in lieu thereof the words *Roads and Canals*, and the question, being taken, was decided in the affirmative; and the resolution was amended accordingly, and passed.

A resolution from the House of Representatives:

Resolved, the Senate concurring herein, that both Houses meet in joint assembly, on Wednesday the 18th inst. at three o'clock P. M., for the purpose of electing a superintendent of the Vermont State Prison, Surveyor General, Auditor of accounts against the state, three commissioners of the deaf and dumb, and an agent to settle the concerns of the Vermont State Bank.

Which was read, and on motion,

Resolved, to concur therein.

A resolution from the House of Representatives:

Resolved, the Senate concurring herein, that the Secretary of State be directed to deliver to the representatives of such towns, as have not received their proportion of the second volume of the laws of this state, their proportion of such laws.

Which was read and, on motion,

Resolved, to concur therein.

The Senate adjourned.

TUESDAY, OCTOBER 17, 1837.

Mr. Phelps of Windham introduced the following resolution:

Resolved, That a committee consisting of one member from each county be raised for the purpose of inquiring into the expediency of taking measures to obtain statistical facts in relation to the number of persons supported at the public expense in the several towns; the manner in which they are supported in the towns respectively; the average annual expense for the support of each pauper, and whether any further provisions are necessary in the acts in relation to the support and maintenance of the poor, and report by bill or otherwise.

Which was read and passed, and on motion,

Ordered, That said committee be appointed by the chair.

The President announced said committee as follows: Mr. Phelps of Windham, Mr. Burton, Mr. Howe, Mr. Porter, Mr. Lawrence, Mr. Egerton, Mr. Miller, Mr. Waterman, Mr. Ingalls, Mr. Heywood, Mr. Young, Mr. Foster, Mr. Allen.

Mr. Briggs introduced a bill entitled "an act to regulate the inspection of provisions intended to be exported from this state,"

Which was read the first and second time and referred to the committee on finance.

Mr. Young introduced a bill entitled "an act relating to the levy of executions,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Van Sicklen introduced a bill entitled "an act directing the taxing of steam boat stock, sloops and canal boats,"

Which was read the first and second time and referred to the committee on finance.

Mr. Pierpoint introduced the following resolution :

Resolved, the House of Representatives concurring herein, that the Governor of this state be requested to appoint some suitable person to investigate the facts and ascertain whether this state has a just claim upon the government of the United States, for expenses incurred, during the revolutionary war ;—and if, in the opinion of the Governor, the interests of this state require it, to present such claim to Congress.

Which was read, and on motion of Mr. Pierpoint,

Ordered, That the resolution be referred to the committee on finance.

Mr. Briggs introduced the following resolution :

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing for a revision and compilation of the statute laws of this state, and that they report by bill or otherwise.

Which was read and passed.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT :—The House have passed a resolution relating to the selection of committee rooms, in which they ask the concurrence of the Senate.

The said resolution was taken up and is as follows :

Resolved, That a committee of five be appointed to join such committee as the Senate may appoint, for the purpose of designating rooms for the several standing committees.

Which being read,

Resolved, to concur in the same.

On motion of Mr. Briggs,

Ordered, That the committee, on the part of the Senate, consist of three members, to be appointed by the President.

And thereupon, pursuant to such order, the President appointed Mr. Briggs, Mr. White and Mr. Young.

Mr. Pierpoint introduced a bill entitled “an act relating to prisoners and jail yards,”

Which was read the first and second time and referred to the committee on the judiciary.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT :—The House have passed a bill, entitled “an act in relation to the grand list,” in which they ask the concurrence of the Senate.

The Senate took up said bill and it was read the first and second time.

On motion of Mr. Howe,

Ordered, That said bill be referred to the committee on the judiciary.

Mr. Howe introduced the following resolution :

Resolved, That the committee on the resolution in relation to the support of the poor, be directed to inquire into the expediency of establishing county poor houses in the several counties in this state, and to report by bill or otherwise.

Which was read and passed.

Mr. White introduced the following resolution :

Resolved, That the committee, appointed to investigate the state of pauperism and make provision therefor, be instructed to adopt measures to ascertain the number of paupers in each town, who were made so by the intemperance of themselves or relations, and report them in contradistinction to other paupers.

Which was read and passed.

Mr. Phelps of Windsor, introduced the following resolution :

Resolved, That the committee on education be instructed to inquire into the expediency of providing by law for the establishment of schools in each county, for the instruction of teachers of common schools ;—also as to the expediency of providing a board of examiners for the examination of instructors of common schools, with authority to licence the same to instruct within this state ; and also to provide for a board of state school commissioners, whose duty it shall be to direct what books shall be used in common schools, and report by bill or otherwise.

Which was read and passed.

The engrossed bill entitled "an act establishing the flag of this state" was read the third time and passed.

The resolutions introduced yesterday forenoon, by Mr. Heywood, were taken up, and on motion of Mr. Briggs, were referred to the committee on the judiciary.

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill from the House of Representatives, entitled, "an act in relation to the grand list," reported the same with the following amendment, viz :

Strike out at the end of the bill the words, "the Senate and House of Representatives in joint assembly convened," and insert the following: *the House of Representatives, to join a committee of one senator from each county, to be appointed by the Senate.*

Which amendment was concurred in, and the bill, as amended, was read the third time and passed.

Mr. Heywood introduced a bill entitled "an act altering the name of Simon Lull,"

Which was read the first and second time, and

On motion of Mr. Pierpoint,

Ordered, That it be laid on the table.

Mr. Porter moved that the vote taken yesterday, rejecting the resolution, for the amendment of the joint rules of the two Houses, be reconsidered.

And the question, being taken thereon, was decided in the affirmative.

On motion of Mr. Pierpoint,

Ordered, That the resolution be laid on the table.

The Senate adjourned.

AFTERNOON.

Mr. Hammond, from the committee on finance, to whom was referred the resolution, relating to the claim of this state upon the government

of the United States, for expenses incurred during the revolutionary war, reported said resolution without amendment, and the said resolution was read and passed.

Mr. Converse introduced the following resolution :

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of annually appointing a reporter, whose duty it shall be to report the decisions of the supreme court and court of chancery of this state, and that said committee report by bill or otherwise.

Which was read and passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT :—The House concur with the Senate in the amendment proposed to the bill entitled "an act in relation to the grand list."

Mr. Hammond, from the committee on Finance, to whom was referred a bill entitled an act directing the taxing of foreign bank stock, reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, That the bill be recommitted to the committee on finance.

The following communication was received from his Excellency the Governor:

EXECUTIVE CHAMBER, }
OCT. 17, 1837. }

Hon. D. M. CAMP, President of the Senate :

SIR,—I have the honor to transmit, for the information of the general assembly, accompanying communications on the subject of a geological and topographical survey of this state.

I am, Sir, respectfully,

Your obedient Servant,

S. H. JENISON.

The above communication, together with the accompanying documents, being

1. The report of Professor Geo. W. Benedict, in answer to inquiries proposed by his Excellency the Governor,

2. A communication from James Stevens, Esq., of Newport, Rhode Island,

3. A communication from John Johnson, Esq. surveyor general of the state,

Were read, and on motion of Mr. Pierpoint,

Ordered, That they be referred to the committee on education.

The Senate adjourned.

WEDNESDAY, OCTOBER 18, 1837.

Hon. William A. Palmer, a senator from the county of Caledonia, appeared and was duly qualified and took his seat.

Mr. Van Sicklen, from the committee on finance, reported a bill entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels,"

Which was read the first and second time, and on motion of Mr. Briggs,

Ordered, That it be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk :

► **MR. PRESIDENT** :—The House of Representatives have passed a resolution for a joint assembly for the election of a bank inspector and bank commissioner, in which they ask the concurrence of the Senate.

The said resolution is as follows :

Resolved, the Senate concurring herein, that both houses meet in joint assembly, in the representatives' hall, at three o'clock on Wednesday next, for the purpose of electing an inspector of banks, and a bank commissioner, for the year ensuing.

Which was read, and on motion of Mr. Pierpoint,

Ordered, That the resolution be laid on the table.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT :—The House concur with the Senate in the passage of a resolution, directing inquiry into the claim, which this state may have on the United States, for expenses incurred in the revolutionary war.

Mr. Phelps of Windham, from the committee on the judiciary, to whom was referred a resolution, relating to the revision of the statute laws, reported a bill entitled "an act providing for a revision of the laws of this state,"

Which was read the first and second time, and on motion of Mr. Pierpoint,

Ordered, That it be laid on the table.

The Senate adjourned.

AFTERNOON.

Mr. Heywood, from the committee on bills, reported that the committee have this day delivered to the governor, for his signature, a bill entitled, "an act in relation to the grand list."

Mr. Phelps of Windsor, introduced the following resolution :

Resolved, That the governor be requested to transmit to the Senate, a copy of the report of the adjutant and inspector general for the last year.

Which was read and passed.

Mr. Lawrence introduced the following resolution :

Resolved, That the governor be requested to transmit to the Senate, a copy of the report of the quarter-master general for the last year.

Which was read and passed.

Mr. Porter introduced a bill entitled "an act to incorporate the Springfield paper company,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Briggs introduced a bill entitled "an act to pay William P. Russell the sum therein mentioned,"

Which was read the first and second time and referred to the committee on claims.

Mr. Phelps of Windham, from the committee on the judiciary, reported a bill entitled "an act in addition to an act entitled an act to incorporate the village of Brattleboro',"

Which was read the first and second time.

Ordered, That it be engrossed and read a third time.

Mr. Converse, from the committee on the judiciary, to whom was referred a resolution relating to reporting the decisions of the supreme court, reported a bill entitled "an act to provide for reporting the decisions of the supreme court,"

Which was read the first and second time.

On motion of Mr. Kinsman,

Ordered, That said bill be laid on the table.

Mr. Phelps of Windham, from the committee on the judiciary, to whom was referred a bill entitled "an act relating to prisoners and jail yards," reported that the same ought not to pass.

Mr. Howe moved that said bill be indefinitely postponed; and the question, being taken thereon, was decided in the negative.

On motion of Mr. Briggs,

Ordered, that said bill be laid on the table.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill, entitled "an act in relation to the discharge of mortgage deeds," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

On motion of Mr. Converse, the committee on the judiciary was discharged from the consideration of the resolutions introduced by Mr. Heywood, in relation to lands granted to Dartmouth college, and Moore's charity school.

The following communication was received from his excellency the governor.

EXECUTIVE CHAMBER, }
Oct. 18, 1837. }

Hon. D. M. CAMP, President of the Senate:

SIR,—I have the honor to inform the Senate, that Norman Williams, Esq. who was elected by the joint ballot of the Senate and House of Representatives to fill the office of treasurer of this state, declines the acceptance of said office.

Very respectfully,

Your obedient servant,

S. H. JENISON.

Mr. Heywood, called up the resolutions relating to Dartmouth college and Moore's charity school lands, and on his motion, the first resolution was amended by inserting after the figures, 1785, the words "and also so much of an act passed Nov. 5, 1818."

On motion of Mr. Heywood,
Ordered, that said resolutions be laid on the table.

On motion of Mr. Converse,
Resolved, That the committee, on the part of the Senate, to equalize the grand list in the several counties, be now appointed by the chair:

Whereupon the president announced said committee as follows: Mr. Pierpoint, Mr. Van Sicklin, Mr. Swift, Mr. White, Mr. Converse, Mr. Briggs, Mr. Jenness, Mr. Kinsman, Mr. Palmer, Mr. Heywood, Mr. Young, Mr. Eaton, Mr. Allen.

The Senate adjourned.

THURSDAY, OCT. 19, 1837.

The following communication was received from the quarter-master general.

QUARTER MASTER'S DEPARTMENT, }
MONTPELIER, OCT. 19, 1837. }

Hon. D. M. CAMP, President of the Senate :

SIR,—In obedience to the law requiring the quarter-master general to report annually, to the general assembly, the number and condition of the arms under his care, I have the honor to report, that they are all deposited in the arsenal at Vergennes, as the law requires, and consist of five thousand two hundred and ninety-eight muskets, twenty-five hundred and two wipers; twenty-five hundred and two spare flint caps; three hundred and fifteen ball screws; two hundred and fifty spring vises; sixty-five rifles; sixty-one powder horns; sixty-one cartouch boxes and belts; sixty-two bullet moulds, and three pieces of six pound iron cannon. Twenty five hundred and two of the above muskets, with the wipers, spare flint caps, ball screws, spring vises and cannon are in good condition. The balance are in bad condition, and, in the opinion of the undersigned, need immediate attention. Some of the boxes in which the muskets are packed, also require repair.

I am aware that the law gives the quarter-master general authority to keep the arms at all times in good order, but, as I have had no opportunity to do so, since the department came under my care, I have deemed it expedient to apprise the legislature of the facts, that they might make an appropriation, if deemed necessary, before any expense was incurred.

I am sir, very respectfully,

Your obedient servant,

DAVIS RICH.

Mr. Converse introduced a bill, entitled "an act, altering the terms of Windham and Windsor county courts,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Phelps of Windham introduced a bill entitled "an act directing the treasurer to make an annual report,"

Which was read the first and second time and referred to the committee on finance.

Mr. Swift presented two memorials of inhabitants of the town of Bennington, and Mr. Miller presented a memorial of inhabitants of the town of Williston, which were referred to the committee on the memorial of ladies of Castleton.

Mr. Phelps of Windsor introduced the following resolution :

Resolved, That a committee of three be appointed to examine into the situation of the Vermont State prison, so far as relates to the contract made by the superintendent, for farming out the labor of the prisoners, and report a statement of the facts to the Senate.

Which was read and passed.

On motion of Mr. Pierpoint,

Ordered, that said committee be appointed by the chair.

Whereupon the President appointed as such committee, Mr. Phelps of Windsor, Mr. Ranney and Mr. Miller.

Mr. Howe introduced the following resolution :

Resolved, That the committee on banks be instructed to inquire into the expediency of so altering the law in relation to the safety fund, as to require the appointment of but one commissioner, and that said commissioner be appointed by the general assembly.

Which was read and passed.

Mr. Ranney introduced the following resolution :

Resolved, the house of representatives concurring herein, that his excellency the governor be requested to communicate, or cause to be communicated, as soon as practicable, to both houses of this legislature, the state of the treasury in relation to its funds, whether available or unavailable, together with its liabilities.

Which was read, and on motion of Mr. Ranney,

Ordered, that it be laid on the table.

Mr. Phelps of Windham introduced the following resolution :

Resolved, That the committee on agriculture be instructed to inquire whether any and what causes have contributed to discourage the culture of wheat ; whether any and what method can be adopted to encourage the quantity and quality of bread stuffs ; what effect the raising of sheep and growing of wool has, upon the other agricultural employments, and its relative profits compared with that of the dairy and that of raising other stock, and what mode and pursuit of agriculture is most conducive to the progressive improvement of the soil, and whether the establishment of an agricultural society would be useful and expedient, and report by bill or otherwise.

Which was read and passed.

Mr. Converse introduced the following resolution :

Resolved, That the committee on military affairs be instructed to enquire into the expediency of repealing an act directing the mode of distributing the arms received from the United States and for other purposes, passed Oct. 30, 1812, and of giving the arms distributed under said act to the towns respectively, with which the same were deposited, and that they report by bill or otherwise.

Which was read and passed.

Mr. Van Sicklen called up the bill entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels."

Ordered, that it be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act in addition to an act in relation to the choice and duty of town officers," reported the same with an amendment, which report was concurred in, and the bill amended accordingly.

Ordered, that it be engrossed and read the third time.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act to repeal an act relating to interest," reported that the same ought not to pass.

On motion of Mr. Porter, ordered that said bill be laid on the table.

The following communication, with accompanying documents, was received from his excellency the governor, by Mr. Manser, secretary of civil and military affairs.

Hon. D. M. CAMP, President of the Senate :

SIR,—I have the honor to communicate to the Senate copies of the report of the auditor in the treasury department, treasurer of the State, bank commissioners and superintendent of the state prison.

With considerations of high respect,

I remain, your ob't. servant,

S. H. JENISON.

Executive Chamber, Oct. 19, 1837.

Mr. Foster introduced the following resolution :

Resolved, The House of Representatives concurring herein, that both houses meet in joint assembly, this afternoon at three o'clock, for the purpose of electing a treasurer of this state.

Which was read, and pending debate on said resolution, a message was received from the House of Representatives, by Mr. Miner, their clerk, as follows :

MR. PRESIDENT : The House of Representatives have passed a resolution assigning a time for a joint assembly for the election of a treasurer of the state.

On motion of Mr. Pierpoint,

Ordered, that the said resolution, introduced by Mr. Foster, be laid on the table.

The Senate took up the said resolution from the House of Representatives, which is as follows :

Resolved, The Senate concurring herein, that both houses meet in joint assembly on Friday the 20th instant, at ten o'clock in the forenoon, to elect a treasurer of this state for the year ensuing.

Mr. Briggs moved to amend said resolution, by striking out of said resolution all after the word *Resolved*, and inserting the following :

"By the Senate and House of Representatives, that whereas no election has been made, by the freemen of this state, of treasurer for the ensuing year, and whereas the Senate and House of Representatives, by a joint ballot, have elected Norman Williams, Esq. to fill that office, and the said Williams has declined accepting said office, therefore a vacancy has occurred, and that it belongs to the governor of this state to supply such vacancy."

Mr. Foster moved that said resolution and the proposed amendment be laid on the table.

And the question being taken thereon, was decided in the negative.

The said amendment was debated until,

The Senate adjourned.

AFTERNOON.

Mr. Briggs introduced the following resolution :

Resolved, That the committee on education be instructed to enquire into the expediency of purchasing the picture in the Senate chamber, the portrait of Gen. Washington, for the state house, and that they report by bill or otherwise.

Which was read and passed.

The engrossed bill entitled "an act in relation to the discharge of mortgage deeds," and the engrossed bill entitled "an act in addition to an act entitled an act to incorporate the village of Brattleboro'," were severally read the third time and passed."

The resolution from the House of Representatives, providing for a joint assembly for the election of a treasurer, was taken up.

Mr. Briggs withdrew the amendment proposed by him, in the forenoon, and the question recurred, Will the Senate concur with the House of Representatives in passing said resolution?

On the question the yeas and nays, having been demanded by Mr Phelps of Windsor, were taken and were as follows :

Those who voted in the affirmative are,

Messrs. Eaton, Egerton, Foster, Heywood, Ingalls, Jeness, Kinsman, Palmer, Ranney, Smilie, Waterman—11.

Those who voted in the negative are,

Messrs. Allen, Bell, Briggs, Burton, Cobb, Converse, Hammond Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Steele, Swift, Van Sicklen, White and Young—19.

So it was determined in the negative.

The Senate adjourned.

FRIDAY, OCTOBER 20, 1837.

Mr. White presented the memorial of sixty-one freemen of West Brattleboro' against licenses for the sale of ardent spirits, which was referred to the committee on the memorial of ladies of Castleton.

Mr. Pierpoint introduced a bill entitled "an act relating to the railroad bank,"

Which was read the first and second time and referred to the committee on banks.

Mr. Phelps of Windham introduced a bill entitled "an act concerning partners,"

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Ranney presented the memorial of Charles Phelps and others against the annexation of Texas to the union.

On motion of Mr. Ranney,

Ordered, that said memorial be referred to a select committee of five, to be appointed by the chair.

Mr. Ranney also presented the memorial of Nathaniel Cheney, jr. and others, against admitting any new state, whose constitution tolerates slavery, and the memorial of Lemuel Farwell and others, for the abolition of slavery in the district of Columbia, which were, severally referred to the committee on the memorial of Charles Phelps and others.

The Senate took up the bill entitled "an act relating to prisoners and jail yards."

Mr. Pierpoint moved to amend the bill by striking out, in the same, the words "*trespass or*," and the question, being taken, was decided in the affirmative.

Ordered, that the bill be engrossed and read the third time.

A message from the House of Representatives, by Mr. Miner their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate, viz:

"An act for the relief of Nathan Danforth."

"An act for the relief of Silas B. Webster."

"An act altering the name of Betsey Fling."

The House of Representatives concur with the Senate in passing a bill entitled "an act establishing the flag of this state."

A bill from the House of Representatives, entitled "an act for the relief of Nathan Danforth," was read the first and second time.

On motion of Mr. Steele,

Ordered, that the rule be dispensed with, and the said bill be read the third time, at this time.

The said bill was read the third time and passed.

A bill from the House of Representatives entitled "an act altering the name of Betsey Fling," was read the first and second time.

On motion of Mr. Howe,

Ordered, that it be laid on the table.

A bill from the House of Representatives, entitled "an act for the relief of Silas B. Webster," was read the first and second time and referred to the committee on finance.

The bill entitled "an act providing for a revision of the laws of this state," was ordered to be engrossed and read the third time.

Mr. Briggs, from the committee on rules, reported the following resolution.

Resolved, the House of Representatives concurring herein, that rule sixth of the joint rules of the Senate and House of Representatives be repealed and the following rule be adopted as the joint rule of the Senate and House of Representatives.

"**RULE 6.** In every case of an amendment of a bill or resolution agreed to in one house and dissented to in the other, if either House shall request a conference and appoint a committee for that purpose and the other house shall also appoint a committee to confer, such committees shall, at a convenient hour, to be agreed upon, by their chairmen, meet in conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective houses, for or against the amendment, and confer freely thereon.

Add to rule third, the following :

"The members of the several probate districts from each house, shall in like manner, nominate to the joint assembly the judges of probate, for their several probate districts."

Which resolution, contemplating an alteration of the rules, was laid on the table.

Mr. Eaton introduced a bill entitled "an act in addition to an act entitled an act for the receipt and distribution of the public money of the United States, which may be deposited with this state,"

Which was read the first and second time, and referred to the committee on finance.

A Resolution from the House of Representatives, assigning a time for a joint assembly for the election of a bank inspector and a bank commissioner was taken up.

On motion of Mr. Pierpoint,

Ordered, that said resolution be amended by striking out the word "*Wednesday*," and inserting the word *Tuesday*.

The said resolution, as amended, was then read and passed.

Mr. Converse, from the committee on the judiciary, to whom was referred a bill entitled "an act altering the terms of Windham and Windsor county courts," reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that the bill be referred to a committee consisting of the Senators from the counties, of Windham and Windsor.

The engrossed bill entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels," was read the third time.

On motion of Mr. Waterman,

Ordered, that it be laid on the table.

Mr. Heywood introduced the following resolution :

Resolved, That the committee on roads and canals, be directed to enquire into the expediency of repealing so much of the fourteenth section of the act relating to roads and bridges as provides for towns benefitted, being assessed in part of the expense of building bridges across a stream dividing two other towns.

Which was read and passed.

Mr. Phelps of Windham introduced the following resolution :

Resolved, That the committee on education be instructed to enquire into the expediency of establishing a female institution or seminary for the purpose of educating instructors of common schools and academies.

The Senate adjourned.

AFTERNOON.

Mr. Heywood from the committee on bills reported that said committee have this day delivered to the governor for his signature, bills of the following titles :

"An act for the relief Nathan Danforth.

"An act establishing the flag of this state.

Mr. Porter presented the memorial of O. Hutchinson and others, upon the subject of slavery and the annexation of Texas to the United States.

Which was referred to the committee raised on the memorial of Charles Phelps and others.

On the memorial of Charles Phelps and others,

Mr. Ranney, Mr. Howe, Mr. Young, Mr. Heywood and Mr. Waterman were appointed a committee.

Mr. Miller presented the memorial of 58 ladies of Burlington, against licenses for the sale of ardent spirits,

Which was referred to the committee on the memorial of ladies of Castleton.

On motion of Mr. Steele,

Ordered, that the engrossed bill, entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels," be recommitted to the committee on finance.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PASSEMENT : The House of Representatives concur with the Senate in the amendment proposed by the Senate to the resolution for a joint assembly for the election of a bank inspector, or bank committee.

The House have also passed bills of the following titles in which they ask the concurrence of the Senate, viz :

"An act annexing a part of the town of Canaan to the town of Lemington."

"An act directing the treasurer of this state to pay John T. Wiggins the sum therein mentioned."

"An act relating to the state house."

"An act in addition to an act entitled an act for the distribution of laws, journals and other public papers."

"An act in addition to an act entitled an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state."

The Senate took up the engrossed bill entitled "an act in addition to an act in relation to the choice and duty of town officers."

Mr. Egerton moved to commit said bill to the committee on elections.

And the question being taken thereon, was decided in the negative.

Mr. Van Sicklen moved that the bill be committed to a Senator with instructions to amend the bill by adding the following proviso:

"Provided that any person who shall be exempt from taxation in consequence of having arrived at the age of sixty years, shall be entitled to the privileges he now has by virtue of the first section of the act aforesaid."

And the question being taken thereon, was decided in the affirmative.

Mr. Van Sicklen was appointed to make said amendment, who reported the bill, amended agreeably to said instructions, and the said bill was read the third time and passed.

Engrossed bills of the following titles were severally read the third time and passed :

"An act providing for a revision of the laws of this state."

"An act to provide for reporting the decisions of the supreme court."

The engrossed bill entitled "an act relating to prisoners and jail yards," was read a third time, and

On motion of Mr. Briggs,

Ordered, that it be laid on the table.

The following bills from the House of Representatives were severally read the first and second time and ordered as follows :

"An act directing the treasurer of this state to pay John T. Wiggins the sum therein mentioned," was referred to the committee on claims.

"An act annexing a part of the town of Canaan to the town of Lemington," was referred to the committee on the judiciary.

"An act relating to the state house," was referred to the committee on roads and canals.

"An act in addition to an act, entitled an act for the distribution of laws, journals and other public papers," was ordered to be read a third time.

"An act in addition to an act entitled an act to provide for the receipt and distribution of the public money of the United States which may deposited with this state," was referred to the committee on finance.

The Senate took up the bill entitled "an act to repeal an act relating to bank commissioner or bank inspector."

On motion of Mr. Converse,

Ordered, that the bill be laid on the table.

Mr. Porter, from the committee on banks to whom was referred a bill entitled "an act relating to the rail road bank," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution directing the auditor of accounts to audit the account of the superintendent of the state house, and a resolution relative to the pay of militia in the battle of Plattsburgh.

The first above resolution is as follows :

Resolved, the Senate concurring herein, That the auditor of accounts against the state be authorized to settle and adjust the account of the superintendent of the state house for the year past.

Which was read and resolved to concur therein.

The second above resolution is as follows :

Resolved, the Senate concurring herein, That our Senators in Congress be instructed and our representatives be requested, to use their influence to procure the passage of a bill authorizing the payment of the militia of this State for their services rendered prior to, and at the battle of Plattsburgh in the state of New York, during the late war with Great Britain."

Which was read, and on motion of Mr. Pierpoint,

Ordered, that it be referred to the committee on military affairs.

Mr. White, from the committee on elections, made the following

REPORT:

The committee on elections, having examined the credentials of members and the certificates of the several county clerks; report, that they find the following persons duly elected, by a plurality of votes in their respective counties to wit:

Bennington—Nathan Burton, Heman Swift; *Windham*—Phineas White, Waitstill R. Ranney, John Phelps; *Rutland*—Robert Pierpoint, Thomas D. Hammond, Zimri Howe; *Windsor*—Julius Converse, William Steele, Francis E. Phelps, Samuel W. Porter; *Addison*—Ebenezer N. Briggs, Harvey Bell, Villee Lawrence; *Orange*—Lebbeus Egerton, Jonathan Jenness, Daniel Cobb; *Chittenden*—John Van Sicklen, jr. Harry Miller; *Washington*—Araunah Waterman, Newell Kinsman; *Franklin*—Nathan Smilie, Timothy Foster, Horace Eaton; *Caledonia*—William A. Palmer, Joseph H. Ingalls; *Orleans*—Augustus Young; *Essex*—William Heywood, jr.; *Grand Isle*—Joel Allen.

The Senate adjourned.

SATURDAY, OCT. 21, 1837.

Mr. Ranney introduced a bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned,"

Which was read the first and second time and referred to the committee on claims.

Mr. Swift, from the committee on education to whom was referred a resolution enquiring as to the expediency of purchasing a portrait of Gen. Washington, reported a bill entitled "an act authorizing the purchase of a portrait of Gen. Washington,"

Which was read the first and second time, and on motion of Mr. Briggs,

Ordered, that said bill be laid on the table.

The following communication was received from his excellency, the governor:

EXECUTIVE CHAMBER, }
Oct. 21, 1837. }

SIR,—I herewith transmit to the Senate the report of the auditor of accounts against the state.

And have the honor to be,

With great respect,

Your obedient Servant,

S. H. JENISON.

Hon. D. M. CAMP, President of the Senate.

Mr. Howe introduced the following resolution:

"Resolved, That the committee on finance be instructed to enquire whether the number of commissioners of deaf and dumb may not be reduced without prejudice to the interests of the state, and report by bill or otherwise."

Which was read and passed.

A bill from the House of Representatives entitled "an act in addition to an act entitled an act for the distribution of laws, journals and other public papers,"

Was read a third time and passed.

Mr. Howe, from the committee on claims, to whom was referred a bill entitled "an act to pay William P. Russel the sum therein mentioned," reported the same with the following proposal of amendment: insert in the blank after the words "sum of," the following, "one hundred and fifty dollars" which was adopted.

Ordered, that the bill be engrossed and read the third time.

A bill entitled "an act relating to the rail road bank" was taken up and read the third time, and on motion of Mr. Egerton,

Ordered, that the bill be laid on the table.

Mr. Porter introduced a bill entitled "an act declaring certain machinery to be fixtures,"

Which was read the first and second time and referred to the committee on manufactures.

Mr. Briggs called up the communication of the governor with the documents therewith, transmitted to the Senate on the 19th inst. which documents are as follows, viz:

The bank commissioners report.

The report of the auditor in the treasury department.

The report of the treasurer of the state, and

The report of the superintendent of the state prison, and the same were severally referred to the committee on finance.

Mr. Van Sicklen presented the memorial of Heman Allen and eighty others, inhabitants of Burlington, against licenses for the sale of ardent spirits,

Which was read and referred to the committee on the memorial of ladies of Castleton.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act to regulate the inspection of provisions intended to be exported from this state," reported the same with a proposal to amend said bill by striking out all after the enacting clause and inserting a new bill.

Which amendment was adopted.

Ordered, that the bill, as amended, be engrossed and read the third time.

Mr. Van Sicklen, from the committee on finance, to whom was re-committed a bill entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels," reported the same without amendment.

Mr. Howe moved to commit the bill to a Senator, with instructions to amend the same by striking out the word "first" in the eighteenth line of the second section, and inserting in its stead the word "twentieth."

And the question being taken thereon, was decided in the affirmative.

Mr. Van Sicklen was appointed to make said amendment; who reported the same, amended agreeably to said instructions.

Mr. Briggs moved to re-commit said bill to a Senator, with instructions to strike out the "*first*" and "*second*" sections of said bill, and to amend the title, by striking out the words "*foreign bank stock*," and while the question was under consideration.

The Senate adjourned.

AFTERNOON.

Mr. Hammond, from the committee on finance to whom was referred the communication of his excellency the governor, and the documents accompanying said communication, made the following

REPORT :

The committee on finance, having given the papers submitted to them an examination, recommend the passage of the following resolution :

Resolved, That there be printed for the use of the Senate, copies of each of the following Reports, viz: Report of the Auditor in the Treasury Department; Report of the Auditor in relation to the school fund; Report of the Auditor in relation to the safety fund; Bank commissioners Report, and Report of the superintendent of the Vermont state prison."

Mr. Phelps of Windham, moved to fill the blank in said resolution by inserting therein the words *four hundred*.

And the question being taken thereon was decided in the negative.

Mr. Converse moved to fill the blank in said resolution, by inserting therein the words *three hundred*.

And the question being taken thereon, was decided in the affirmative.

Which resolution, as amended, was read and passed.

Mr. Phelps of Windsor, from the committee on military affairs, to whom was referred a resolution from the House of Representatives, instructing our senators, and requesting our representatives in Congress to use their influence to procure the passage of a bill directing the payment of the militia of this state for their services at the battle of Plattsburgh, reported the same with the following proposal of amendment, viz: after the word "*militia*" insert the words *and volunteers*.

Which amendment was adopted.

The said resolution as amended was then read and passed.

Mr. Porter introduced a bill entitled "an act repealing part of an act entitled an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty."

Which was read the first and second time and referred to the committee on finance.

Mr. Miller, from the committee on manufactures, to whom was referred a bill entitled "an act to incorporate the Springfield paper company," reported the same without amendment.

Ordered, that the bill be engrossed and read a third time.

The bill entitled "an act directing the taxing of foreign bank stock, steam boat stock and vessels" was taken up.

Mr. Briggs withdrew the motion to re commit said bill to a Senator, made by him in the forenoon, and the question recurred,

Shall the bill pass?

And the question being taken thereon, was decided in the affirmative.

The Senate adjourned.

MONDAY, OCTOBER 23, 1857.

Mr. Ranney presented the memorial of thirty-one inhabitants of Elmore, praying an interdiction of the traffic in ardent spirits.

Mr. Howe presented the memorial of Joseph Perkins and others, against licenses for the sale of ardent spirits.

Which were severally referred to the committee on the memorial of ladies of Castleton.

Mr. Lawrence presented the following memorials, which were ordered as follows, viz.

The memorial of Thomas Whalley and others, inhabitants of Ferrisburgh, against the admitting of any new state into the Union, whose constitution tolerates slavery.

The memorial of Thomas Whalley and others, inhabitants of Ferrisburgh, against the annexation of Texas into the United States.

The memorial of Thomas Whalley and others, inhabitants of Ferrisburgh, praying that our senators in Congress be instructed and our representatives requested to use their influence for the abolition of slavery in the district of Columbia.

Which were severally referred to the committee on the memorial of Charles Phelps and others.

The memorial of Thomas Whalley and others praying for the passage of a law securing to every human being in this state, a trial by jury in all cases where his or her liberty is in question, was referred to the committee on the judiciary.

Mr. Phelps of Windham introduced a bill entitled "an act concerning the asylum for the insane."

Which was read the first and second time and referred to the committee on finance.

Engrossed bills of the following titles were severally read the third time and passed, viz :

"An act to pay William P. Russell the sum therein mentioned."

"An act to regulate the inspection of provisions intended to be exported from this state."

An engrossed bill entitled "an act to incorporate the Springfield paper company" was read the third time, and on motion of Mr. Steele,

Ordered, that the bill be laid on the table.

An engrossed bill entitled "an act relating to prisoners and jail yards" was taken up.

Mr. Waterman moved to commit the bill to a Senator with instructions to amend the bill, so as to include within the limits of the several jail yards in the several counties in this state, in addition to their present limits, the town in which each jail is respectively situated.

On motion of Mr. Steele,

Ordered, that said bill and the proposed amendment be laid on the table.

Mr. White called up the resolution relating to the joint rules of the Senate and House of Representatives, and the question being taken,

Will the Senate repeal the sixth rule, and adopt the rule proposed in its stead? was determined in the affirmative.

On motion of Mr. White,

Ordered, that the proposed amendment to the third joint rule of both houses be committed to the several senators from those counties which contain more than one probate district.

Mr. Phelps of Windham introduced the following resolution :

Resolved, That the rules of the Senate be amended to read thus.

"41. Eight copies of the laws of this state shall be laid upon the senate tables for the use of the Senators."

Which resolution was laid on the table.

An engrossed bill entitled "an act relating to the rail road bank," was taken up, and on the question,

Shall the bill pass?

The yeas and nays were demanded by Mr. Waterman, and are as follows:

Those who voted in the affirmative, are

Messrs. Allen, Bell, Burton, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Steele, Swift, White and Young—13.

Those who voted in the negative, are

Messrs. Briggs, Egerton, Ingalls, Jenness, Phelps of Windham, Phelps of Windsor, Ranney, Smilie, Van Sicklen and Waterman—10.

So it was decided in the affirmative.

Mr. Phelps of Windham introduced the following resolution :

Resolved, That the committee on the memorial of ladies of Castleton, be instructed to enquire into the expediency of making it unlawful for employers or superintendants to give laborers, by them employed, intoxicating drink, including raisings and trainings, and report by bill or otherwise.

Which was read and passed.

A bill entitled "an act authorizing the purchase of a portrait of Gen. Washington," was taken up, and on motion of Mr. Pierpoint,

Ordered, that said bill be indefinitely postponed.

The Senate adjourned.

AFTERNOON.

Mr. Howe introduced the following resolution :

Resolved, by the Senate and House of Representatives that the two houses will adjourn without day on the second day of Nov. next.

Which was read, and on motion of Mr. Phelps of Windsor,

Ordered, that said resolution be laid on the table.

Mr. Hammond, from the committee on Finance, to whom was referred a resolution instructing said committee to enquire whether the number of commissioners of deaf and dumb may not be reduced without prejudice to the interests of the people of this state, reported that in the opinion of said committee, the number of said commissioners ought not to be reduced.

Mr. Hammond, from the same committee, to whom was referred a bill from the House of Representatives entitled "an act in addition to an act entitled an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state," reported the same with the following proposals of amendment :

Insert in the seventh line of the first section between the words, "last" and "shall" the following words, *and such towns as shall at their next March meeting for the choice of town officers, elect trustees in the manner provided in the act aforesaid.*

Also, add to the first section of the bill the following proviso:

Provided, that nothing in this act shall be so construed as to compel the treasurer of this state to violate any existing contract in relation to said surplus money.

Provided also, that the provisions of this act shall not embrace those towns which may have voted not to receive their share of said money.

And also add the following section :

Sec. 3d. It shall be the duty of the trustees in each town to make a report of their proceedings to their respective towns at their annual March meetings.

Which amendments were read and considered by the Senate as in committee of the whole, and having been agreed to, the bill was reported to the Senate, and the amendments were concurred in, and the question being taken

Shall the bill, as amended, pass?

Was determined in the affirmative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT :—The House concur with the Senate in the amendment of the resolution relating to the services of the militia of this state, at the battle of Plattsburgh.

The house have passed a resolution requesting the Governor to appoint a day of public thanksgiving, in which they ask the concurrence of the Senate.

The House have also passed bills of the following titles :

"An act laying a tax on the lands in Brunswick."

"An act laying a tax on the lands in Wenlock."

"An act to revive an act laying a tax on the lands in Elmore."

"An act in addition to an act incorporating the Norwich University."

"An act relating to the issuing of executions."

In which they ask the concurrence of the Senate."

Mr. Van Sicklen, from the committee on finance, to whom was referred a bill entitled "an act repealing part of an act entitled an act ascertaining the principles on which the list of this state shall be made, and directing listers in their office and duty," for a majority of said committee, reported that, in their opinion, the bill ought not to pass;

and for a minority of said committee, that the bill, in the opinion of the minority of said committee, ought to pass, with the following amendment :

Provided, That it shall be the duty of listers to assess mechanics in proportion to the amount of capital employed, without reference to gain.

Mr. Pierpoint moved to amend the amendment by inserting after the word "assess" the following words :

"Practising attorneys, practising physicians, and"—

Mr. Briggs moved that the bill be postponed indefinitely, and on this question the yeas and nays being demanded, were taken, and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Eaton, Egerton, Foster, Hammond, Heywood, Ingalls, Jenness, Kinsman, Lawrence, Miller, Ranney, Smilie, Steele, Swift and Waterman—19.

Those who voted in the negative are

Messrs. Howe, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Van Sicklen and White—7.

So it was decided in the affirmative.

Bills from the House of Representatives of the following titles were severally taken up and read the first and second time and ordered as follows :

"An act laying a tax on lands in Brunswick" and "an act to revive an act laying a tax on the lands in Elmore," were severally ordered to be read the third time.

"An act laying a tax on the lands in Wenlock," was referred to the committee on land taxes.

"An act in addition to an act incorporating the Norwich University" was referred to the committee on education.

"An act relating to the issuing of executions" was referred to the committee on the judiciary.

The Senate adjourned.

TUESDAY, OCT. 24, 1837.

Mr. Bell, from the committee on bills, reported that the committee delivered to the governor for his approbation and signature, on the 23d inst. a bill entitled "an act in addition to an act for the distribution of laws, journals and other public papers," and a bill entitled "an act relating to the discharge of mortgage deeds."

Mr. Swift presented the memorial of T. L. Taft and others, and the memorial of Wm. Webb and others, which were referred to the committee on the memorial of ladies of Castleton.

Mr. Howe introduced a bill entitled "an act in relation to the poor,"

Which was read the first and second time and referred to the committee on the resolution of Mr. Phelps of Windham, in relation to paupers.

On motion of Mr. Ingalls, Mr. Palmer was excused from serving on the committee to average the grand list.

The President appointed Mr. Ingalls to supply the place of Mr. Palmer on said committee.

Mr. Eaton introduced the following resolution :

Resolved, That the secretary of the Senate be directed to procure a copy of the report of the committee appointed at the last session of the legislature to visit the county of Franklin and make report relative to the proper location of the shire of said county, and lay the same before the Senate.

Which was read and passed.

The secretary laid upon the table, in pursuance of said resolution, a copy of the report therein mentioned.

Mr. Eaton introduced the following resolution :

Resolved, That a committee consisting of three members of the Senate be appointed by the President, to examine the report of the committee appointed to report relative to the proper location of the shire of Franklin county, and ascertain whether it contains a fair and full view of the question, and whether it should be deemed final and conclusive upon the subject.

Which was read and passed.

Thereupon, the President appointed as such committee, Mr. Eaton, Mr. Howe and Mr. Foster.

Mr. Porter called up the resolution from the House of Representatives, fixing a day for thanksgiving.

The said resolution is as follows :

Resolved, by the House of Representatives, the Senate concurring herein, that the governor be requested to appoint the last Thursday of November next, to be observed as a day of public thanksgiving and prayer throughout this state.

Mr. Porter moved to amend said resolution by erasing the word 'last' and inserting the word *fourth*.

And the question being taken thereon was decided in the affirmative.

The said resolution, as amended, was then read and passed.

The Senate took up the bill entitled "an act relating to prisoners and jail yards."

The question being taken on the motion of Mr. Waterman to commit said bill for amendment, as stated in the journal of yesterday, was decided the negative.

On the question "Shall the bill pass?" the Senate was equally divided.

The President gave a casting vote in the affirmative.

Mr. Briggs moved a reconsideration of the vote taken on the passage of said bill, in pursuance of the provisions of the thirty-first rule of the Senate.

And the question, being taken thereon, was decided in the affirmative.

The question was then stated from the chair, "Shall the bill pass?" on this question the yeas and nays, having been demanded by Mr. Briggs, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Burton, Cobb, Eaton, Heywood, Ingalls, Jenness, Kinsman, Lawrence, Pierpoint, Phelps of Windsor, Porter, Smitie, Waterman, Young—15.

Those who voted in the negative are
Messrs. Bell, Briggs, Converse, Egerton, Foster, Hammond, Howe,
Miller, Phelps of Windham, Ranney, Steele, Swift, Van Sicklen, White
—14.

So it was decided in the affirmative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed a resolution fixing a time for the adjournment of the legislature, and a resolution appointing a committee to settle with the superintendant of the Vermont state prison, in which they ask the concurrence of the Senate.

The House concur with the Senate in the amendment proposed to the bill entitled "an act in addition to an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state."

A bill from the House of Representatives entitled "an act laying a tax on the lands in Elmore" was read the third time and passed.

A bill from the House of Representatives entitled "an act, laying a tax on lands in Brunswick" was read the third time.

On motion of Mr. Heywood,

Ordered, that the bill be referred to the committee on land taxes.

The Senate took up the bill entitled "an act incorporating the Springfield paper company."

Mr. Smilie moved that the bill be committed to a member for the purpose of receiving the following amendment :

"Sec. 14. The several stockholders shall be holden in their individual capacity for the payment of all debts contracted by the corporation."

And the question being taken thereon, was decided in the negative.

The question was then stated from the chair, "Shall the bill pass?" and on this question, the yeas and nays having been demanded by Mr. Egerton, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windsor, Porter, Ranney, Steele, Swift, White, Young—17.

Those who voted in the negative are

Messrs. Burton, Cobb, Egerton, Foster, Heywood, Ingalls, Jenness, Kinsman, Phelps of Windham, Smilie, Van Sicklen, Waterman—12.

So it was determined in the affirmative.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, That the President of the Senate and Speaker of the House of Representatives close the present session of the legislature by an adjournment of their respective Houses on Thursday the second day of November next at five o'clock A. M.

Which was read and

Resolved, to concur therein.

A resolution from the House of Representatives was taken up, which resolution is as follows :

Resolved, the Senate concurring herein, That Robert Pierpoint, Kent Wright and Sewall Fullam, jr. be appointed as a committee, whose du-

ty it shall be, between the close of the present session and the first day of December next, to settle with the Hon. John H. Cotton, superintendent of the state prison, appraising the property, now at said prison, belonging to the state, and deliver to the superintendent elect, the books and papers heretofore kept at said prison for the use of the state, together with said property; also in the month of September next to visit the prison and examine the condition of the same; settle with the superintendent, appraise all the property then and there remaining unsold, and make report of their doings at the October session of the legislature, 1838.

Which was read and on motion of Mr. Phelps of Windsor,

Ordered, that it be referred to the committee on the resolution of Mr. Phelps of Windsor, relating to the state prison.

Mr. Van Sicklen introduced a bill entitled "an act relating to highways."

Which was read the first and second time and referred to the committee on roads and canals.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act relating to the issuing of executions," reported said bill with amendments, which were considered by the Senate as in committee of the whole, and pending debate on the bill,

On motion of Mr. Phelps of Windham,

The Senate adjourned.

AFTERNOON.

Mr. Hammond, from the committee on finance, to whom was referred a bill, from the House of Representatives, entitled "an act for the relief of Silas B. Webster," reported the bill without amendment, and it was read the third time and passed.

Mr. Young, from the committee on roads and canals, to whom was referred a bill from the House of Representatives entitled "an act relating to the state house," reported the bill without amendment, and it was read the third time and passed.

Mr. Swift, from the committee on education, to whom was referred a bill from the House of Representatives, entitled "an act in addition to an act incorporating the Norwich University," reported the bill without amendment, and it was read the third time and passed.

Mr. Phelps of Windham, from the committee on the judiciary, to whom was referred a bill entitled "an act relating to the levy of executions," reported the bill without amendment.

Ordered, that the bill be engrossed and read the third time.

Mr. Porter introduced the following resolution:

Resolved, That the committee on the judiciary be directed to enquire into the expediency of giving the several county courts a discretionary power, upon application, to order the release of prisoners confined in the common jails in their respective counties for fines, and that they have leave to report by bill or otherwise.

Which was read and passed.

Mr. Smilie, from the committee on land taxes, to whom was referred a bill, from the House of Representatives, entitled an act laying a tax on lands in Wenlock, reported the bill with an amendment by striking out the words "Jas. Cory" and inserting the words *John Stevens*, which amendment was concurred in, and the bill was read the third time and passed.

Mr. Eaton and Mr. Foster at their request, were severally excused from serving on the committee appointed this morning on the resolution of Mr. Eaton, relative to the report of a committee on the subject of the location of the shire in Franklin county, and Mr. Ranney and Mr. Heywood were appointed in their stead.

Mr. Miller, from the committee on manufactures, to whom was referred a bill entitled "an act declaring certain machines to be fixtures," reported the bill with an amendment, and the same was considered by the Senate as in committee of the whole.

On motion of Mr. Pierpoint,

Ordered, that the bill and amendment be referred to the committee on the judiciary.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles in which they ask the concurrence of the Senate, viz:

"An act directing the treasurer to pay Jeduthun Loomis the sum therein mentioned."

"An act directing the treasurer to pay Moses King the sum therein mentioned."

"An act directing the treasurer to pay Charles Davis the sum therein mentioned."

"An act authorizing the appointment of deputy clerks of the supreme and county courts."

"An act relating to the judiciary."

"An act in addition to an act "entitled an act defining what shall be deemed and adjudged a legal settlement and for the support of the poor, for designating the duties of overseer of the poor, and for the punishment of idle and disorderly persons."

"An act to settle the boundary line between the towns of Elmore and Worcester."

"An act to repeal an act therein mentioned."

"An act to repeal an act therein mentioned."

"An act repealing an act to preserve fish in Willoughby lake."

"An act laying a tax on lands in Bradleyvale."

"An act laying a tax on lands in Troy."

The House of Representatives concur with the Senate in passing a bill entitled "an act in addition to an act to incorporate the village of Brattleboro'."

The Senate resumed the consideration of a bill entitled "an act relating to the issuing of executions."

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table.

Bills from the House of Representatives of the following titles were read the first and second time and ordered as follows :

"An act directing the treasurer to pay Jeduthun Loomis and others the sum therein mentioned," and "an act directing the treasurer to pay Charles Davis the sum therein mentioned," were referred to the committee on claims.

"An act directing the treasurer to pay Moses King the sum therein mentioned," was referred to the committee on finance.

"An act authorizing the appointment of deputy clerks of the supreme and county courts," and "an act relating to the judiciary," were referred to the committee on the judiciary.

"An act in addition to an act entitled an act defining what shall be deemed and adjudged a legal settlement," &c. was referred to the committee on the resolution of Mr. Phelps of Windham, relating to paupers.

"An act to settle the boundary line between the towns of Elmore and Worcester," was referred to the committee on roads and canals.

"An act repealing an act therein mentioned," "an act repealing an act therein mentioned," and "an act repealing an act entitled an act to preserve fish in Willoughby lake," were referred to the committee on agriculture.

"An act laying a tax on the lands in Bradleyvale," was ordered to be read the third time."

Mr. Smilie, from the committee on land taxes, to whom was referred a bill entitled "an act laying a tax on the lands in Brunswick," reported said bill without amendment, and the said bill was passed.

A bill from the House of Representatives, entitled "an act laying a tax on the lands in Troy," was read the first and second time, and the question, Shall the bill be read the third time? was decided in the negative.

So the bill was rejected.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT: The House of Representatives have passed bills entitled

"An act altering the terms of the county courts in Lamoille and Orleans county," and

"An act altering the terms of the county court in the county of Grand Isle," in which they ask the concurrence of the Senate.

The House of Representatives concur with the Senate in passing a bill entitled "an act to pay William P. Russell, the sum therein mentioned."

Mr. Phelps, from the committee on military affairs, submitted a report accompanied with a bill entitled "an act for regulating and governing the militia of this state,"

Which was read the first and second time.

The Senate adjourned.

WEDNESDAY, OCTOBER 25, 1837.

Mr. Bell, from the committee on bills, reported that the committee

have this day presented to the governor for his approval and signature, bills of the following titles:

"An act in addition to an act entitled an act to incorporate the village of Brattleboro."

"An act to pay William P. Russell, the sum therein mentioned," and

"An act in addition to an act entitled "an act to provide for the receipt and distribution of the public money of the United States, which may be deposited with this state."

Mr. Converse, from the committee on the judiciary, to whom was referred a bill entitled "an act concerning partners," reported that said bill ought not to pass.

Ordered, that said bill be postponed indefinitely.

The President laid before the Senate a report of the commissioners appointed to attend the annual examination of the University of Vermont and enquire into the state of its funds and regulations.

Which was read and referred to the committee on finance.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

Mr. President: The House of Representatives concur with the Senate in the proposed amendment of the resolution, requesting the governor to appoint a day of thanksgiving.

The House have passed a resolution relating to militia polls in Guildhall, in which they ask the concurrence of the Senate.

The engrossed bill entitled "an act relating to the levy of executions," Was read the third time and passed.

Mr. Howe, from the committee on claims, to whom was referred the bill from the House of Representatives entitled "an act directing the treasurer to pay Jeduthun Loomis and others, the sum therein mentioned," reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that it be laid on the table.

The bill from the House of Representatives entitled "an act laying a tax on the lands in Bradleyvale,"

Was read the third time.

On motion of Mr. Jenness,

Ordered, that the bill be referred to the committee on land taxes.

On motion of Mr. Phelps of Windsor,

Ordered, that the bill reported by the committee on military affairs entitled "an act for regulating and governing the militia of this state," be laid on the table.

On motion of Mr. Cobb,

Ordered, that three hundred copies of said bill be printed for the use of the general assembly.

On motion of Mr. Egerton, the vote taken yesterday refusing a third reading of the bill entitled "an act laying a tax on the lands in Troy," was reconsidered.

On motion of Mr. Waterman,

Ordered, that the bill be referred to the committee on land taxes.

Mr. Pierpoint, from the committee to whom was referred the memorial of ladies of Castleton, and sundry other memorials against licenses for the sale of ardent spirits, reported a bill entitled "an act relating to

innkeepers and retailers," which was read the first and second time.

On motion of Mr. Pierpoint,

Ordered, that said bill be laid on the table, and made the order of the day for to-morrow morning.

Mr. Smilie moved that three hundred copies of said bill be printed, for the use of the Senate.

And the question being taken thereon, was decided in the negative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate.

"An act directing the treasurer to pay Harvey Bell, the sum therein mentioned."

"An act compensating the superintendent of the Vermont State prison."

"An act relating to pedlars."

"An act relating to the duties of the judges of the supreme court."

The House concur with the Senate in passing a bill entitled "an act in addition to an act in relation to the choice and duty of town officers," and in the amendment proposed by the Senate to the bill entitled "an act laying a tax on the lands in Wenlock."

The Senate adjourned.

AFTERNOON.

Mr. Briggs, from the committee on the judiciary, to whom was referred the petition of Thomas Whalley and others, relating to jury trials, reported that no legislative action is necessary on said petition.

Ordered, that the petitioner have leave to withdraw his petition.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill from the House of Representatives entitled "an act relating to the judiciary," reported the bill without amendment, and it was read the third time.

On motion of Mr. Converse,

Ordered, that the bill be laid on the table.

Mr. Ingalls introduced a bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned."

Which was read the first and second time, and referred to the committee on claims.

Mr. Waterman, from the committee on manufactures, to whom was referred a resolution introduced by Mr. Young, on the 16th instant, relating to the education of apprentices, &c. reported a bill entitled "an act regulating the management and education of minors and apprentices."

Which was read the first and second time.

On motion of Mr. Cobb,

Ordered, that the bill be laid on the table.

Mr. Converse introduced a bill entitled "an act relating to notes and contracts."

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Cobb introduced a bill entitled "an act relating to the duties of bank committee or bank inspector,"

Which was read the first and second time and referred to the committee on banks.

A resolution from the House of Representatives :

Resolved, The Hon. Senate concurring herein, that the committee to make up the grand list be authorized and instructed to allow or deduct thirty militia polls from the grand list of the town of Guildhall.

Which was read and referred to the committee on finance.

Bills from the House of Representatives of the following titles were severally read the first and second time and referred as follows :

"An act altering the terms of the county court in Lamoille and Orleans county,"

"An act altering the terms of the county court in the county of Grand Isle," and

"An act relating to the duties of the judges of the supreme court,"

Were referred to the committee on the judiciary.

"An act directing the treasurer to pay Harvey Bell, the sum therein mentioned," was referred to the committee on claims.

"An act compensating the superintendent of the state prison," and

"An act relating to pedlars,"

Were referred to the committee on finance.

On motion of Mr. Converse, the Senate resumed the consideration of a bill entitled "an act to repeal an act relating to bank committee or bank inspector."

On motion of Mr. Pierpoint,

Ordered, that said bill be postponed indefinitely.

The Senate adjourned.

THURSDAY, OCT. 26, 1837.

Mr. Heywood, from the committee on bills, reported that the committee, yesterday, presented to the governor, for his approval and signature, bills of the following titles, viz :

"An act relating to the state house."

"An act laying a tax on the lands in Brunswick."

"An act for the relief of Silas B. Webster."

"An act to revive an act laying a tax on the lands in Elmore."

"An act laying a tax on the lands in Wenlock."

"An act in addition to an act incorporating the Norwich University."

"An act in addition to an act in relation to the choice and duty of town officers."

The following communication was received from his excellency the governor.

EXECUTIVE CHAMBER, }
Oct. 25, 1887.

Hon. D. M. CAMP, President of the Senate :

SIR : I herewith transmit to the Senate, a copy of the report of the adjutant and inspector general, for the last year, in compliance with a request contained in a resolution of the Senate of the 18th instant.

I have the honor to be, very respectfully,

Your obedient servant,

S. H. JENISON.

The said communication, with the document accompanying, was referred to the committee on military affairs.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate.

"An act laying a tax on the lands in Duxbury."

"An act laying a tax on the lands in Granby."

"An act laying a tax on the lands in Granville, late Kingston, in the county of Addison."

"An act laying a tax on the lands in Guildhall."

"An act directing the treasurer to pay Samuel B. Booth, the sum therein mentioned."

Mr. White, from the committee on banks, to whom was referred a resolution relating to bank commissioners, passed on the 19th instant, reported that no legislative action is necessary on the subject of said resolution.

Mr. Howe introduced the following resolution :

Resolved, That a committee of three be appointed by the President, to enquire into the manner by which the general assembly are supplied with fuel, lights, stationery, &c. and report whether in their opinion any legislation is required on the subject.

Which was read and passed.

And thereupon the President appointed as such committee, Mr. Howe, Mr. Kinsman and Mr. Converse.

The Senate took up, pursuant to order, the bill entitled "an act relating to innkeepers and retailers," and the same was considered by the Senate, as in committee of the whole, and after progress therein,

On motion of Mr. Pierpont,

Ordered, that the bill be laid on the table.

Bills from the House of Representatives of the following titles, were read the first and second time and ordered as follows :

"An act laying a tax on the lands in Granby," and

"An act laying a tax on the lands in Guildhall,"

Were ordered to be read the third time.

"An act laying a tax on the lands in Granville," &c. was referred to the committee on land taxes.

"An act directing the treasurer to pay Samuel B. Booth the sum therein mentioned," was referred to the committee on claims.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives concur with the

Senate in passing a bill entitled "an act providing for a revision of the laws of this state," with a proposal of amendment, in which they ask the concurrence of the Senate.

The following communication was received from his excellency the governor.

EXECUTIVE CHAMBER, }
Oct. 26, 1837. }

SIR: I take this opportunity to inform the Senate that I have appointed *Allen Wardner, Esq.* of Windsor, treasurer of the state, to supply the vacancy in that office, until the same can be filled in the manner directed by law or the constitution of this state.

I have the honor to be,

With great respect,

Your ob't. servant,

S. H. JENISON.

Hon. D. M. CAMP, President of the Senate.

The Senate took up the bill entitled "an act providing for a revision of the laws of this state," and the amendment proposed thereto by the House of Representatives being read,

Resolved, to concur in said amendment.

The Senate adjourned.

AFTERNOON:

Mr. Pierpoint introduced the following resolution:

Resolved, The House of Representatives concurring herein, that the committee for averaging and equalizing the grand list be instructed to deliver the certificate of alteration of the valuation and assessments to the representatives of the town; or in case the town is not represented, to the representative of some adjoining town, wherein such alteration is made, by said committee; and it shall be the duty of the representative to deliver said certificate to the listers of their respective towns, who shall be governed thereby, in making up their lists, the same as if said certificates had been attached to the books containing their lists, any law to the contrary notwithstanding.

Which was read and passed.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles in which they ask the concurrence of the Senate:

"An act relative to common schools."

"An act directing the treasurer to pay Thomas Emerson and others, the sum therein mentioned."

"An act directing the treasurer to pay Josiah Bates the sum therein mentioned."

"An act for the relief of Japhet Gray, Nathaniel West and Ira Brainard."

"An act laying a tax on the lands in Newport."

"An act laying a tax on the lands in Braintree."

"An act relative to the grand list of New Haven."

"An act in relation to, and extending the liberties of jail yards within this state."

Mr. Ingalls, from the committee on agriculture, to whom was referred bills from the house of representatives of the following titles, viz :

"An act to repeal an act therein mentioned,"

"An act to repeal an act therein mentioned," and

"An act repealing an act entitled an act to preserve fish in Willoughby Lake,"

Reported said bills without amendment, and they were severally read the third time and passed.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act concerning the asylum for the insane," reported the bill without amendment.

On motion of Mr. Howe,

Ordered, that the bill be laid on the table.

Mr. Steele, from the committee on finance, to whom was referred a resolution from the House of Representatives relative to militia polls in the town of Guildhall, reported that said resolution ought to pass.

Which report was adopted and the said resolution was passed.

Mr. Hammond, from the committee on finance, to whom was referred a bill from the House of Representatives entitled "an act compensating the superintendent of the Vermont state prison," reported the same without amendment.

On motion of Mr. Kinsman.

Ordered, that the bill be laid on the table.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT: The House of Representatives concur with the Senate in the passage of a resolution relative to the grand list, (passed this afternoon.)

Bills from the House of Representatives of the following titles, were severally read the first and second time and ordered as follows :

"An act relative to common schools," was referred to the committee on education.

"An act directing the treasurer to pay Thomas Emerson and others, the sum therein mentioned," was referred to the committee on claims.

"An act directing the treasurer to pay Josiah Bates the sum therein mentioned."

"An act for the relief of Japhet Gray, Nathaniel West and Ira Brainerd," and

"An act relative to the grand list of New Haven,"

Were referred to the committee on finance.

"An act relative to, and extending the liberties of jail yards, within this state," was referred to the committee on the judiciary.

"An act laying a tax on the lands in Newport," and

"An act laying a tax on the lands in Braintree,"

Were ordered to be read the third time.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act relating to inkeepers and retailers," and the bill was amended and reported to the Senate and the amendments were concurred in, and on the question, "Shall the bill be engrossed and read the third time?" the yeas and nays, having been demanded by Mr. Phelps of Windsor, were taken and were as follows :

Those who voted in the affirmative are
Messrs. Bell, Briggs, Burton, Hammond, Heywood, Howe, Palmer,
Pierpoint, Phelps of Windham, Porter, Ranney, Smilie, Steele, Swift,
White, Young—16.

Those who voted in the negative are
Messrs. Allen, Cobb, Converse, Eaton, Egerton, Foster, Ingalls, Jen-
ness, Kinsman, Lawrence, Phelps of Windsor, Van Sicklen, Water-
man—13.

So it was decided in the affirmative:

Mr. Cobb introduced a bill entitled "an act in addition to an act de-
fining the powers of justices of the peace in this state, passed March 4,
1797."

Which was read the first and second time and referred to the com-
mittee on the judiciary:

Mr. Smilie, from the committee on land taxes, to whom was referred
a bill from the House of Representatives, entitled "an act laying a tax
on the lands in Troy," reported the bill with an amendment, which was
concurred in, and the bill, as amended, was passed.

Mr. Smilie, from the same committee, to whom was referred a bill
entitled "an act laying a tax on the lands in Bradleyvale," reported the
same without amendment," and the said bill was passed.

Mr. Hammond, from the committee on finance, to whom was refer-
red a bill entitled "an act directing the treasurer to pay Josiah Bates the
sum therein mentioned," reported the same without amendment.

On motion of Mr. Pierpoint,

Ordered, that the rule be suspended and that the bill be read a third
time, at this time.

The bill was then read the third time and passed.

Mr. Kinsman called up the bill entitled "an act directing the treasu-
rer to pay Jeduthun Loomis and others the sum therein mentioned,"
and the question, "Shall the bill be read the third time?" being taken;
was decided in the negative.

So the bill was rejected.

The Senate adjourned.

FRIDAY, OCT. 27, 1837.

On motion of Mr. Briggs,

Ordered, that the vote taken yesterday, refusing a third reading to a
bill entitled "an act directing the treasurer to pay Jeduthun Loomis and
others, the sum therein mentioned," be reconsidered.

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table.

Mr. Van Sicklen presented the memorial of the Vermont anti-slavery
society, relative to the right of trial by jury,

Which was read and referred to the committee on the memorial of
Charles Phelps and others.

Mr. Eaton introduced a bill entitled an act to locate the county buildings in the county of Franklin,"

Which was read the first and second time and referred to the committee on the report of the committee relative to the shire of Franklin county.

Mr. White introduced the following resolution:

Resolved, That the committee on education be instructed to enquire into the expediency of so altering the act, empowering the school districts in this state to raise money for the support of schools, that no money shall be raised otherwise than by tax on the grand list or by subscription.

Which was read and passed.

Mr. Young introduced a bill entitled "an act in addition to an act constituting probate courts," &c.

Which was read the first and second time and referred to the committee on the judiciary.

Mr. Converse, from the committee on the judiciary, to whom was referred a bill entitled "an act in relation to, and extending the liberties of jail yards within this state," reported that said bill ought not to pass.

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table.

Mr. Pierpont, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Thomas Emerson and others the sum therein mentioned," reported the bill without amendment, and it was read the third time and passed.

Mr. Ranney, from the committee on roads and canals, to whom was referred a bill entitled "an act to settle the boundary line between the towns of Elmore and Worcester," reported the same with the following proposal of amendment.

Add to the bill the following:

"One half of the expense of such survey to be paid by the town of Elmore and the other half by the town of Worcester."

Which amendment was concurred in, and the bill, as amended, was read the third time and passed.

Mr. Ranney, from the committee on roads and canals, to whom was referred a bill entitled "an act in relation to highways," reported the same with amendments, and the same was considered by the Senate, as in committee of the whole, and after progress therein,

On motion of Mr. White,

Ordered, that the bill be laid on the table.

The Senate resumed the consideration of the bill entitled "an act relating to innkeepers and retailers," and the same was read the third time.

On motion of Mr. Eaton,

Ordered, that the bill be committed for the purpose of being amended by striking out the first section of the enacting clause and making all other necessary corresponding amendments.

Whereupon, Mr. Eaton was appointed to make such amendments.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act relating to pedlars," reported the same without amendment, and it was read the third time,

Mr. Porter moved that the bill be committed for the purpose of being so amended as to repeal all laws granting licenses to pedlars.

And the question, being taken thereon, was decided in the negative.

Mr. Heywood moved that the bill be committed for the purpose of being so amended as to take effect from its passage.

And the question, being taken thereon, was decided in the negative.

The main question was then put, "Shall the bill pass?" on which, the yeas and nays, having been required by Mr. Porter, were taken, and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Briggs, Burton, Cobb, Converse, Eaton, Foster, Heywood, Ingalls, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Rannay, Steele, Van Sicklen, Young—17.

Those who voted in the negative, are

Messrs. Egerton, Howe, Jenness, Kinsman, Lawrence, Porter, Smilie, Waterman, White—9.

So it was determined in the affirmative;

The Senate adjourned

AFTERNOON,

On motion of Mr. Foster, leave of absence was granted to him from and after to-morrow.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act directing the treasurer to make an annual report," reported that the passage of said bill is unnecessary.

On motion of Mr. Hammond,

Ordered, that the bill be indefinitely postponed.

Mr. Hammond, from the same committee, to whom was referred a bill entitled "an act directing the treasurer to pay Moses King, the sum therein mentioned," and a bill entitled "an act relative to the grand list of New Haven," reported said bills without amendment, and they were severally read the third time and passed.

Mr. Howe, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Harvey Bell, the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Howe, from the committee on the subject of paupers, to whom was referred a bill entitled "an act in addition to an act defining what shall be adjudged a legal settlement," &c. reported that said bill ought not to pass.

On motion of Mr. Porter,

Ordered, that the bill be laid on the table.

Mr. Howe, from the same committee, to whom was referred a bill entitled "an act in relation to the poor," reported the bill without amendment.

On motion of Mr. Hammond,

Ordered, that the bill be laid on the table.

Mr. Ranney, from the committee, to whom was referred a resolution on the 24th instant, relative to the report of a committee on the subject of Franklin county shire, reported that no legislation is necessary thereon.

Mr. Bell, from the committee on bills, reported that the committee have this day presented to the governor for his approval and signature, bills of the following titles:

"An act to repeal an act therein mentioned."

"An act providing for a revision of the laws of this state."

"An act to repeal an act therein mentioned."

"An act repealing an act to preserve fish in Willoughby lake."

Mr. Phelps of Windsor, from the committee on the resolution of the 19th instant, relative to the state prison, submitted a copy of the contract referred to, in said resolution.

Mr. Phelps of Windsor, from the same committee, to whom was referred a resolution from the House of Representatives, appointing a committee to appraise the property of the Vermont state prison, reported said resolution without amendment.

Ordered, that the resolution be laid on the table.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act for the relief of Japhet Gray, Nathaniel West and Ira Brainerd," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the judiciary committee, to whom was referred a bill entitled "an act altering the terms of the county court in the county of Grand Isle," reported the bill with amendments, which amendments were concurred in and the said bill, as amended, was read the third time and passed.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act altering the terms of the county courts in Lamoille and Orleans counties," reported the bill without amendment, and it was read the third time and passed.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act relating to the duties of the judges of the supreme court," reported that the same ought not to pass.

On motion of Mr. Pierpoint,

Ordered, that the bill be laid on the table.

Mr. Converse, from the judiciary committee, to whom was referred a bill entitled "an act relating to notes and contracts," reported the bill without amendment.

Ordered, that it be engrossed and read the third time.

Mr. Briggs, from the committee on the judiciary, to whom was referred a resolution relating to the discharge of persons confined in jail on fines, &c. reported a bill entitled "an act authorizing the remission of penalties."

Which was read the first and second time, and

On motion of Mr. Porter,

Ordered, that it be laid on the table.

Bills from the House of Representatives of the following titles, were severally, read the third time and passed:

"An act compensating the superintendent of the Vermont state prison."

"An act laying a tax on the lands in Braintree."

"An act laying a tax on the lands in Guildhall."

"An act laying a tax on the lands in Duxbury."

"An act laying a tax on the lands in Newport."

Mr. Young called up the bill entitled "an act regulating the management and education of minors and apprentices," and it was ordered to be engrossed and read the third time.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate :

"An act directing the treasurer to pay Harvey Ainsworth, the sum therein mentioned."

"An act directing the treasurer to pay Harrison Bancroft, the sum therein mentioned."

"An act directing the treasurer to pay George H. Peck, the sum therein mentioned."

"An act for the relief of Allen Smith."

"An act to authorize and empower the assistant judges of the county court of the county of Windham, to purchase for the use and benefit of said county, a certain tract of land."

The House have also concurred in the amendment proposed by the Senate to the bill entitled "an act laying a tax on the lands in Troy."

Mr. Eaton, to whom was referred for specific amendment, the engrossed bill entitled "an act relating to innkeepers and retailers," reported the same, amended agreeably to instructions, and the said bill, as amended, was passed.

Mr. Hammond called up the bill entitled "an act in relation to the poor," and the same was considered by the Senate, as in committee of the whole, and amended. The amendments were reported to the Senate, and concurred in, and the bill ordered to be engrossed and read the third time.

Bills from the House of Representatives, of the following titles, were severally read the first and second time and committed as follows :

"An act directing the treasurer to pay Harvey Ainsworth, the sum therein mentioned," and

"An act directing the treasurer to pay Harrison Bancroft, the sum therein mentioned," were referred to the committee on claims.

"An act directing the treasurer to pay George H. Peck, the sum therein mentioned," was referred to the committee on military affairs.

"An act for the relief of Allen Smith," was referred to the committee on finance.

"An act to authorize and empower the assistant judges of the county court of the county of Windham to purchase, for the use and benefit of said county, a certain tract of land," was referred to the Senators from the county of Windham.

Mr. Converse called up the bill entitled "an act relating to the judiciary," and it having been read a third time, was passed.

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act relating to the issuing of executions," and

the same was amended agreeably to the report of the committee on the judiciary and reported to the Senate, and the amendments were concurred in, and the bill, as amended, was read the third time and passed.

On motion of Mr. Phelps of Windsor,

Ordered, that when the Senate adjourn, it adjourn to meet at seven o'clock this evening.

On motion of Mr. Pierpoint,

Ordered, that leave be granted to the committee appointed to average the grand list, and the committee on claims, to sit this evening, during the session of the Senate.

On motion of Mr. Bell,

Ordered, that the committee on education have leave to sit this evening during the session of the Senate.

Mr. Heywood, from the committee on bills, reported that the committee on bills have this day delivered to the governor, for his approval and signature, bills of the following titles:

"An act laying a tax on the lands in Bradleyvale."

"An act relative to the grand list of New Haven."

"An act directing the state's treasurer to pay Moses King the sum therein mentioned."

"An act directing the treasurer to pay Josiah Bates the sum therein mentioned."

"An act directing the treasurer to pay Thomas Emerson and others, the sum therein mentioned."

"An act laying a tax on the lands in Troy."

"An act directing the treasurer to pay Harvey Bell, the sum therein mentioned."

"An act relating to pedlers."

The Senate adjourned.

EVENING.

The Senate took up the bill entitled "an act for regulating and governing the militia of this state," and it was read the first and second time and considered by the Senate, as in committee of the whole, and after progress therein,

The Senate adjourned.

SATURDAY, OCTOBER 28, 1837.

On motion of Mr. Steele,

Ordered, that the abstract of orders drawn by the auditor of accounts against the state, be referred to the committee on finance.

The engrossed bill entitled "an act relating to notes and contracts," was read the third time and passed.

The engrossed bill entitled "an act regulating the management and education of minors and apprentices," was read the third time.

Mr. Cobb moved that the bill be committed for the purpose of being amended by striking out the words *parents* and *children*, wherever they occur.

And the question, being taken thereon, was decided in the affirmative, and the bill was referred to Mr. Cobb, for the purpose of receiving such amendment.

Mr. Phelps, from the committee on the judiciary, to whom was referred a bill entitled "an act in addition to an act entitled an act defining the powers of justices of the peace within this state, passed March 4, 1797," reported that the same ought not to pass.

On motion of Mr. Pierpoint,

Ordered, that the bill be indefinitely postponed.

Mr. Phelps, from the same committee, to whom was referred a bill from the House of Representatives, entitled "an act authorizing the appointment of deputy clerks of the supreme and county courts," reported the same with the following proposal of amendment, viz: add to the first section the words,

"Provided that such deputy clerk shall not be restricted from practising as an attorney before any court in this state."

Which amendment was adopted, and the said bill was farther amended by striking out the second section thereof; and the said bill, as amended, was read the third time and passed.

Mr. Eaton, from the committee on education, to whom was referred a bill entitled "an act relative to common schools," reported the bill with amendments, and the same were considered by the Senate, as in committee of the whole, and the amendments were concurred in, and the bill as amended was reported to the Senate, and the question, "shall the bill be read the third time," being taken, was decided in the negative.

So the bill was rejected.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate; viz:

"An act to repeal an act entitled an act to encourage the destruction of foxes within this state, passed November 5, 1832," and

"An act altering the name of John Wakefield to John Hancock Wakefield." Also

Resolutions relative to the examination of banks.

The House of Representatives concur with the Senate in amendments proposed to bills of the following titles:

"An act to settle the boundary line between Elmore and Worcester."

"An act relating to the issuing of executions."

"An act altering the terms of the county court in the county of Grand Isle."

The House also ask the concurrence of the Senate in a resolution, relating to the green mountain turnpike company.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned," and a bill entitled entitled "an act direct-

ing the treasurer to pay Harrison Bancroft the sum therein mentioned," reported said bills without amendment, and they were severally read the third time and passed.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Rufus Campbell, the sum therein mentioned," reported the same without amendment.

Mr. Ranney moved to amend the bill by striking out the words *five hundred and sixteen* and inserting in lieu thereof the words *three hundred and sixty*.

And the question, being taken, was decided in the negative.

Mr. Ranney moved to strike out the words *five hundred and sixteen* and insert the words *one hundred and forty*.

And the question, being taken thereon, was decided in the affirmative, and the bill was amended accordingly.

On motion of Mr. Pierpoint, the bill was further amended by adding the following proviso:

"Provided that the same shall be in full satisfaction of all claims that said Campbell pretends to have against the state."

The said bill was then ordered to be engrossed and read the third time.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed a resolution rescinding a resolution requesting the governor to appoint the fourth Thursday of November as a day of thanksgiving, and a resolution requesting that the third Thursday of November, may be designated for that purpose, in which they ask the concurrence of the Senate.

On motion of Mr. Ranney,

Ordered, that the committee on the memorial of Charles Phelps and others, have liberty to sit this afternoon during the session of the Senate.

The Senate adjourned.

AFTERNOON.

Mr. Phelps of Windsor called up the resolution appointing a committee to appraise the property in the Vermont state prison and settle with the superintendent, and the said resolution was read and passed.

Mr. Cobb, to whom was referred for specific amendment a bill entitled "an act regulating the management of minors and apprentices," reported said bill amended agreeably to instructions.

On motion of Mr. Cobb,

Ordered, that the bill be committed to a member for the purpose of being so amended as to apply only to minors and apprentices in manufacturing establishments.

The said bill was committed, for this purpose, to Mr. Young.

Mr. Kinsman introduced the following resolution:

Resolved, by the Senate and House of Representatives, that our Senators in Congress be instructed and our representatives in Congress be requested to use their efforts and influence to procure a law to be passed, changing the place for the sitting of the circuit and district courts of

the United States, from Rutland and Windsor to Montpelier, in this state.

Which was read, and
On motion of Mr. Kinsman,
Ordered, that it be laid on the table.

Mr. Howe introduced a bill entitled "an act in relation to sheriff's fees."

Which was read the first and second time, and referred to the committee on the judiciary.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," reported the same without amendment, and the question, "shall the bill be engrossed and read the third time?" being taken, was decided in the negative.

So the bill was rejected.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act for the relief of Allen Smith," reported the same without amendment, and it was read the third time and passed.

The engrossed bill entitled "an act in relation to the pocr," was read the third time and passed.

A bill from the House of Representatives, entitled "an act to repeal an act entitled an act to encourage the destruction of foxes within this state, passed November 5, 1832," was read the first and second time and referred to the committee on agriculture.

A bill from the House of Representatives, entitled "an act altering the name of John Wakefield to John Hancock Wakefield," was read the first and second time.

On motion of Mr. Pierpoint,
Ordered, that the bill be laid on the table.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, That the bank committee and bank commissioner, appointed by the general assembly at their present session, be empowered and directed to examine the books, papers and any officer or officers of the several banks in this state under oath, to ascertain what amount of dividends have been declared by each bank, from the surplus profits of such bank ; and whether that portion of such dividends belonging to the state has been paid into the treasury thereof or not ; also to ascertain if any bank or banks have invested any portion of their surplus profits in stocks or otherwise, and if so invested, what amount has been paid into the treasury of the state, or the amount of the surplus profits so invested ; also to ascertain if any bank or banks have deducted, as items of expenditure, the cost of their banking houses and plates, from their surplus profits, and if so deducted, what amount has been withheld thereby from the state by each bank ; and that said committee and commissioner be directed to report the facts in relation to each specific subject of inquiry embraced in this resolution, to the legislature of this state, at their next session.

Which was read.

On motion of Mr. Briggs,

Ordered, that the resolution be referred to the committee on banks.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, That the state's attorney for the county of Rutland, be and he is hereby directed, forthwith, to commence a writ of *scire facias* against the Green Mountain turnpike company, to shew cause why its grant or charter should not be vacated.

Which was read.

On motion of Mr. Converse,

Ordered, that the resolution be referred to a committee of three, to be appointed by the chair.

The President, thereupon, appointed as such committee, Mr. Converse, Mr. Young and Mr. Briggs.

A resolution from the House of Representatives :

Resolved, the Senate concurring herein, That the joint resolution, which passed both houses, the present week, requesting the governor to appoint the fourth Thursday of November next as a day of public thanksgiving in this state, be and the same hereby is rescinded.

Which was read and passed.

A resolution from the House of Representatives:

Resolved, The Senate concurring herein, that the governor of this state be requested to appoint the third Thursday of November next, as a day of public thanksgiving and praise throughout this state.

Which was read and passed.

On motion of Mr. Phelps of Windsor,

The Senate, as in committee of the whole, resumed the consideration of the bill entitled "an act for regulating and governing the militia of this state," and after progress therein,

On motion of Mr. Steele,

Ordered, that the bill be laid on the table.

On motion of Mr. Steele,

Ordered, That the vote taken this afternoon refusing a third reading to the bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," be reconsidered, and the said bill was laid on the table.

The Senate adjourned.

MONDAY, Oct. 30, 1837.

The engrossed bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned," was read the third time and passed.

On motion of Mr. Pierpoint,

Ordered, That the committee of the whole be discharged from the further consideration of the bill entitled "an act for regulating and governing the militia of this state," and that the bill be committed to the committee on military affairs for amendment.

On motion of Mr. Phelps of Windsor,

Ordered, that Mr. Pierpoint and Mr. Converse be added to the com-

mittee on military affairs, while the said bill is under consideration by said committee.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing a bill entitled "an act to regulate the inspection of provisions intended to be exported from this state."

Mr. Young, to whom was committed for specific amendment, a bill entitled "an act regulating the management and education of minors and apprentices," reported said bill amended by the following title, "an act for regulating the treatment of minors employed in manufacturing establishments," which amendments were concurred in, and the bill, as amended, was read the third time and passed.

The committee on education, to whom was referred a resolution introduced by Mr. White on the 27th inst. relating to common schools, also a resolution introduced by Mr. Phelps of Windsor on the 17th inst. relating to common schools, and also a resolution, introduced by Mr. Phelps of Windham on the 20th instant relative to the establishment of a female seminary, reported that legislation on the subjects of said resolutions is inexpedient.

Mr. Swift presented the petition of Clark Rich and others, against licences for the sale of ardent spirits,

Which was laid on the table.

Mr. Eaton introduced a bill entitled "an act assessing a tax on the county of Franklin," which was read the first and second time and referred to the senators from the county of Franklin.

Mr. Ranney, from the committee, to whom was referred a bill entitled "an act to locate the county buildings in the county of Franklin," reported that said bill ought not to pass.

On motion of Mr. Howe,

Ordered, that said bill be indefinitely postponed.

Mr. Ranney, from the committee to whom was referred a bill entitled "an act to authorize and empower the assistant judges of the county court of the county of Windham, to purchase, for the use and benefit of said county, a certain tract of land," reported the bill without amendment, and it was read the third time and passed.

A bill from the House of Representatives, entitled "an act in addition to an act defining what shall be deemed and adjudged a legal settlement," &c. being under consideration,

On motion of Mr. Howe,

Ordered, that said bill be indefinitely postponed.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives, have passed bills of the following titles, in which they ask the concurrence of the Senate, viz:

"An act directing the treasurer to pay Henry H. Robinson, the sum therein mentioned."

"An act for the relief of Joseph Beeman."

"An act repealing an act therein mentioned."

"An act in addition to an act entitled an act incorporating certain persons therein mentioned by the name of the centre turnpike company."

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act in addition to an act constituting probate courts," &c. reported that the passage thereof is unnecessary.

On motion of Mr. Steele,

Ordered, That the bill be indefinitely postponed.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act in relation to sheriff's fees," reported that the bill ought not to pass.

On motion of Mr. Briggs,

Ordered, that the bill be indefinitely postponed.

Mr. Briggs, from the same committee, to whom was referred a bill entitled "an act declaring certain machinery to be fixtures," reported the bill with amendments which were adopted.

Ordered, that the bill be engrossed and read the third time.

Mr. Burton presented the petition of Myron Clark and others, for an alteration in the law relating to mills and millers.

Which was read and referred to the committee on manufactures.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act in relation to extending the liberties of jail yards within this state," reported the bill with amendments, and the same was considered by the Senate as in committee of the whole, and after progress therein,

On motion of Mr. Pierpoint,

The committee rose and reported the bill to the Senate.

Mr. Pierpoint moved that the bill be indefinitely postponed, and on this question the yeas and nays, having been required by Mr. Smilie, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Converse, Egerton, Howe, Ingalls, Pierpoint, Phelps of Windham, Ranney, Steele—10.

Those who voted in the negative are

Messrs. Briggs, Burton, Cobb, Eaton, Hammond, Heywood, Jenness, Kinsman, Lawrence, Miller, Palmer, Phelps of Windsor, Porter, Smilie, Swift, Van Sicklen, Waterman, White, Young—19.

So it was determined in the negative.

On motion of Mr. Pierpoint,

Ordered, that the bill and amendments be recommitted to the committee on the judiciary.

Bills from the House of Representatives of the following titles were severally read the first and second time, and ordered as follows :

"An act directing the treasurer to pay Henry H. Robinson the sum therein mentioned," was referred to the committee on claims.

"An act for the relief of Joseph Beeman," was referred to the committee on finance.

"An act repealing an act therein mentioned," was laid on the table.

"An act in addition to an act entitled an act incorporating certain persons therein mentioned by the name of the centre turnpike company," was ordered to be read the third time, at this time, (the rule being suspended.)

The said bill was then read the third time and passed.

Mr. Porter, from the committee on banks, to whom was referred a resolution from the House of Representatives, relative to the duty of the bank committee and bank commissioner reported that said resolution be amended as follows :

1. Strike out all of the 15th, 16th, 17th, 18th and 19th lines from the word *if* to the word *bank* inclusive, and substitute in lieu thereof the following words.

"The rule by which the several banks determine the amount of the profits in their business."

2. Add before the words, "and that," in the 19th line, the following :
"Also the gross amount of all loans made to the officers of any bank and remaining due and unpaid at the time of such examination."

On the question, "shall the resolution receive the first proposed amendment reported by the committee? the yeas and nays having been required by Mr. Waterman, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Briggs, Burton, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Swift, Van Sicklen, White, Young—18.

Those who voted in the negative are

Messrs. Cobb, Egerton, Ingalls, Jenness, Kinsman, Palmer, Smilie, Steele, Waterman—9.

So it was determined in the affirmative.

The second amendment proposed by the committee to said resolution was read and concurred in.

Mr. Phelps of Windsor, moved to amend said resolution by adding thereto the following :

"And as the late President of the United States, by unwise and unauthorized measures, and in defiance of the expressed will of Congress, has deranged the currency and thereby involved the country in distress and ruin ; and as the present President of the United States, pledging himself to follow in the footsteps of his predecessor, has, in his late message, declared that it is not within the constitutional province of the general government to regulate the exchanges or relieve the embarrassments of the country ; and as the banks in this state, by reason of the general derangement of the currency, have been compelled, for the time being, to suspend specie payment ; that said bank committee and commissioner be directed to report to the next session of the legislature, some plan by which the people of this state can be again furnished with such safe and stable currency as will enable the holders of any bank bills to convert said bills into specie at pleasure."

And on the question, "shall the amendment be adopted?" the yeas and nays, having been required by Mr. Cobb, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Swift, Van Sicklen, White, Young—20.

Those who voted in the negative are

Messrs. Cobb, Egerton, Heywood, Ingalls, Jenness, Kinsman, Palmer, Smilie, Waterman—9.

So it was determined in the affirmative.

On motion of Mr. Cobb, the resolution was further amended so as to re-

quire the bank committee or commissioner to report, "also the gross amount of loans made to the stockholders, not officers of any bank ; also the number and amount of all loans over the sum of five thousand dollars made to any individual or company."

On motion of Mr. Lawrence,
The Senate adjourned.

AFTERNOON.

Mr. Howe, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Samuel B. Booth the sum therein mentioned," reported the bill without amendment, and on the question, "shall the bill be read the third time?" the yeas and nays, having been required by Mr. Lawrence, were taken and were as follows :

Those who voted in the affirmative are
Messrs. Allen, Bell, Eaton, Egerton, Heywood, Kinsman, Lawrence, Palmer, Phelps of Windsor, Ranney, Smilie, Van Sicklen, Waterman, White, Young—15.

Those who voted in the negative are
Messrs. Briggs, Burton, Cobb, Converse, Hammond, Howe, Ingalls, Miller, Pierpoint, Phelps of Windham, Steele, Swift—12.

So it was determined in the affirmative.

The bill was then read the third time and passed.

Mr. Smilie, from the committee on land taxes, to whom was referred a bill entitled "an act laying a tax on the lands in Granville, late Kingston, in the county of Addison," reported the bill without amendment, and it was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act annexing a part of the town of Canaan to the town of Lemington," reported the bill without amendment, and it was read the third time and passed.

Mr. Kinsman called up the bill entitled "an act directing the treasurer to pay Jeduthun Loomis the sum therein mentioned," and it was read the third time, and on the question, "shall the bill pass?" the yeas and nays, having been required by Mr. Jenness, were taken and were as follows :

Those who voted in the affirmative are
Messrs. Allen, Bell, Eaton, Egerton, Heywood, Ingalls, Kinsman, Lawrence, Palmer, Phelps of Windsor, Porter, Ranney, Smilie, Van Sicklen, White, Young—16.

Those who voted in the negative are
Messrs. Burton, Cobb, Converse, Hammond, Howe, Jenness, Pierpoint, Phelps of Windham, Steele, Swift—10.

So it was determined in the affirmative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed resolutions on the subject of the franking privilege, a resolution relating to the duty of bank commissioner in making returns ; and a resolution relative to the soldiers of the revolution ; also bills of the following titles :

"An act directing the treasurer to pay John Roberts the sum therein mentioned."

"An act for the relief of William Bushee."

"An act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes," in which they ask the concurrence of the Senate.

The House of Representatives concur with the Senate in the passage of a bill entitled "an act relating to the levy of executions."

The House concur with the Senate in passing a bill entitled "an act authorizing the appointment of deputy clerks of the supreme and county courts."

The engrossed bill entitled "an act declaring certain machinery to be fixtures," was read the third time.

Mr. Briggs moved that the bill be committed to a member to be amended as follows:

"Provided, that this act shall not affect any conveyance or right, claim or liability, arising or accruing previous to the passing of this act."

The bill was committed to Mr. Briggs, who reported the same, amended pursuant to instructions.

The question was then stated from the chair, "shall the bill pass?" and on this question the yeas and nays were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Cobb, Eaton, Hammond, Howe, Ingalls, Jenness, Lawrence, Miller, Palmer, Pierpoint, Phelps of Windsor, Porter, Ranney, Smilie, Swift, Van Sicklen, Waterman, White, Young—25.

Those who voted in the negative are

Messrs. Converse, Egerton, Heywood, Phelps of Windham, Steele—5.

So it was determined in the affirmative.

Mr. Howe introduced the following resolution:

Resolved, The House of Representatives concurring herein, that the treasurer be and hereby is authorized and directed to audit and allow the account of David Pierce for services in making sale of the labor of convicts in the state prison, in March last, in pursuance of an act of the general assembly passed November 17, 1836.

Which was read and passed.

Mr. Pierpoint, from the committee, to whom was referred, for amendment, the bill entitled "an act for regulating and governing the militia of this state," reported the said bill amended, and the same was taken up and after receiving further amendments,

On motion of Mr. Howe,

Ordered, that the bill be laid on the table.

On motion of Mr. Briggs,

Ordered, that when the Senate adjourn, it adjourn to meet this evening at half past six o'clock.

Mr. Howe introduced a bill entitled "an act allowing interest on judgments,"

Which was read the first and second time and referred to the committee on the judiciary.

The Senate adjourned.

EVENING.

Mr. Pierpont, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Charles Davis the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Eaton, from the committee to whom was referred a bill entitled "an act assessing a tax on the county of Franklin," reported the same without amendment.

Ordered, that it be engrossed and read the third time.

A resolution from the House of Representatives :

Whereas, the existing laws of the United States prohibit the granting of pensions to soldiers of the revolutionary army, unless there shall be made proof of the service of six months, at the least; and whereas it is believed that many meritorious men are, by such laws, deprived of that pittance, which is justly their due: therefore

Resolved, The Senate concurring herein, that our senators in Congress be instructed, and our representatives requested to use their exertions for procuring the passage of a law providing for that class of old soldiers now excluded by the law in force.

Which was read and passed.

A bill from the House of Representatives, entitled "an act directing the treasurer to pay John Roberts the sum therein mentioned," was read the first and second time.

On motion of Mr. Pierpont,

Ordered, that it be read the third time.

A bill from the House of Representatives entitled "an act for the relief of William Bushee," was read the first and second time and referred to the committee on finance.

A bill from the House of Representatives entitled "an act to amend and reduce into one act, several acts relating to the corporation of the city of Vergennes," was read the first and second time, and referred to the committee on the judiciary.

Resolutions from the House of Representatives :

1. *Resolved*, The Senate concurring herein, that the franking privilege should be extended to the governors of the several states.

2. *Resolved*, That his excellency the governor, be requested to transmit a copy of these resolutions to the governors of the several states, and also to our senators and representatives in congress.

Which was read, and

Resolved, to concur therein.

A resolution from the House of Representatives :

Resolved, The Senate concurring herein, that the bank committee and bank commissioners, whose duty it is to make report of their doings to the next session of the legislature, be and they hereby are directed to make out said reports and communicate the same on the first day of said session.

Which was read.

On motion of Mr. Pierpoint,
Ordered, that it be laid on the table.

The Senate resumed the consideration of the bill entitled "an act for regulating and governing the militia of this state."

On motion of Mr. Pierpoint,

Ordered, that the rule requiring the bill to be engrossed be dispensed with, and that the bill be read the third time at this time.

The said bill was read the third time and passed.

The Senate adjourned.

TUESDAY, Oct. 31, 1837.

Mr. Van Sicklen introduced the following resolution:

Resolved, That the secretary be instructed to make and receive from the treasurer the debentures of the Senate and the contingent expenses thereof, and pay the same to the senators and officers of the Senate entitled to receive the same.

Which was read and passed.

Mr. Briggs introduced the following resolution:

Resolved, The House of Representatives concurring herein, that the commissioners appointed under the act for the benefit of the deaf and dumb, be directed in their discretion to extend the time of the beneficiaries of this state at the American asylum, to the term of five years.

Which was read and passed.

Mr. Bell, from the committee on bills, reported that on the thirteenth inst. the committee presented to the governor for his approval and signature, bills of the following titles:

"An act relating to the judiciary."

"An act to regulate the inspection of provisions intended to be exported from this state."

"An act compensating the superintendent of the Vermont state prison."

"An act laying a tax on the lands in Newport."

"An act laying a tax on the lands in Braintree."

"An act for the relief of Japhet Gray, Nathaniel West and Ira Brainerd."

"An act to settle the boundary line between the towns of Elmore and Worcester."

"An act in addition to an act entitled an act incorporating certain persons therein mentioned, by the name of the centre turnpike company."

"An act laying a tax on the lands in Duxbury in the county of Washington."

"An act altering the terms of the county courts in Lamoille and Orleans counties."

"An act laying a tax on lands in Guildhall."

Mr. Ingalls, from the committee on agriculture, to whom was referred a bill entitled "an act to repeal an act entitled an act to encourage the

destruction of foxes within this state, passed Nov. 5, 1832," reported the bill without amendment, and the question "shall the bill be read the third time," being taken, was decided in the negative.

So the bill was rejected.

Mr. Pierpoint introduced a bill entitled "an act concerning the revision of the statutes."

Which was read the first and second time.

Ordered, that it be read the third time.

Mr. Pierpoint called up the bill entitled "an act altering the name of Betsey Fling," and the same was considered by the Senate as in committee of the whole, and amended and reported to the Senate by the following title, "an act altering the name of certain persons," and the amendments non-concurred in, and the bill as amended, was read the third time and passed.

Mr. Porter called up a bill entitled "an act authorizing the remission of penalties," and the same was considered by the Senate as in committee of the whole and amended. The bill was reported to the Senate and the amendments were concurred in.

On motion of Mr. Howe,

Ordered, that the bill be indefinitely postponed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles in which they ask the concurrence of the Senate, viz:

"An act assessing a tax for the support of government."

"An act making appropriations for the support of government."

"An act authorizing the treasurer to borrow the sum therein mentioned."

"An act for the relief of Charles Plastringe."

"An act relating to the right of trial by jury."

The House concur with the Senate in passing a bill entitled "an act relating to notes and contracts."

The House also concur with the Senate in passing bills of the following titles, with proposals of amendment:

"An act for regulating the treatment of minors employed in manufacturing establishments."

"An act directing the taxing of foreign bank stock, steam-boat stock and vessels."

Mr. Ranney, from the committee, to whom was referred the memorial of Charles Phelps and others, to whom were also referred sundry other memorials and petitions, submitted a report and the following resolutions.

Resolved, by the Senate and House of Representatives:

1. That our senators in congress be instructed and our representatives requested to use their influence in that body to prevent the annexation of Texas to the union.

2. That, representing as we do the people of Vermont, we do hereby in their name *solemnly protest* against such annexation in any form.

3. That as the representatives of the people of Vermont, we do solemnly protest against the admission into this union, of any state whose constitution tolerates domestic slavery.

4. That congress have full power by the constitution to abolish slavery and the slave trade in the district of Columbia and in the territories of the United States.

5. That congress has the constitutional power to prohibit the slave trade between the several states in this union, and to make such laws as shall effectually prevent their exportation.

6. That our senators in congress be instructed and our representatives requested to present the foregoing report and resolutions to their respective houses in congress, and use their influence to carry the same speedily into effect.

7. That the governor of this state be requested to transmit a copy of the foregoing report and resolutions to the President of the United States, to the executives of the several states, and to each of our senators and representatives in congress.

On motion of Mr. White,

Ordered, that said report and resolutions be laid on the table.

The resolution from the House of Representatives on the subject of the duty of bank committee and bank commissioners, being under consideration,

On motion of Mr. Porter,

Ordered, that the resolution be amended by striking out the words, "*books, papers and vaults and*," and inserting after the word *oath* the following: "and to examine the books, papers and vaults of said bank."

Mr. Smilie moved a further amendment of said resolution in the following words:

"That the committee be instructed to enquire into the causes of the over discounts or excessive issues of the banks for the last three years, and ascertain if possible, whether the banks have been influenced by a desire of gain, or have been compelled, by some unauthorized act of the late executive of the United States, or the present executive of the United States, and designate the unauthorized act if any, and whether the extraordinary expansions and contractions of bank accommodations by the United States bank has had any agency in producing those enormous loans of bank bills, which the banks are not now able to redeem as they are required by their charter, and report specifically on the same."

Mr. Howe moved to amend the amendment, by striking out in the resolution the words *United States bank*, and inserting in lieu thereof the words *any bank*.

On motion of Mr. Howe,

Ordered, that the resolution and proposed amendments be laid on the table.

Mr. Waterman, from the committee on manufactures, to whom was referred the petition of Myron Clark and others, for an alteration of the law relating to mills and millers, reported that no legislation is expedient on the subject of the petition.

Mr. Bell, from the committee on education, to whom was referred a resolution introduced by Mr. Ranney on the 16th inst. relative to the duty of school committees, reported that it is inexpedient to pass any law on the subject contemplated in said resolution.

The resolution respecting the places of holding the United States circuit and district courts was taken up, and

On motion of Mr. Howe, it was postponed indefinitely.

The Senate, as in committee of the whole, took up the bill entitled "an act concerning the Vermont asylum for the insane," and the bill was amended and reported to the Senate, and the amendments were concurred in.

Ordered, that the bill be engrossed and read the third time.

Mr. Converse, from the select committee to whom was referred a resolution from the House of Representatives, relative to instituting a *scire facias* against the green mountain turnpike company, reported that the passage of said resolution is inexpedient, and the question, "shall the resolution pass?" being taken, was decided in the negative.

The engrossed bill entitled "an act assessing a tax on the county of Franklin," was read the third time and passed.

The following bills from the House of Representatives were severally read the first and second time and ordered as follows:

"An act assessing a tax for the support of government,"

"An act authorizing the treasurer to borrow the sum therein mentioned," and

"An act for the relief of Charles Plastridge,"

Were referred to the committee on finance.

"An act making appropriations for the support of government," was ordered to be read the third time.

"An act relating to the right of trial by jury," was referred to the committee on the judiciary.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay John T. Wiggin, the sum therein mentioned," reported the bill without amendment.

On motion of Mr. Howe,

Ordered, that it be laid on the table.

Mr. Heywood, from the committee on bills, reported that the committee on bills have this day presented to the governor, for his approval and signature, bills of the following titles, viz:

"An act directing the treasurer to pay Charles Davis the sum therein mentioned."

"An act laying a tax on lands in Granville, late Kingston, in the county of Addison."

"An act directing the treasurer to pay Samuel B. Booth, the sum therein mentioned."

"An act directing the treasurer to pay Jeduthun Loomis and others, the sum therein mentioned."

"An act authorizing the appointment of deputy clerks of the supreme and county courts."

"An act for the relief of Allen Smith."

"An act directing the treasurer to pay Harrison Bancroft the sum therein mentioned."

"An act relating to the levy of executions."

"An act annexing a part of the town of Canaan to the town of Lemington."

"An act relating to the issuing of executions."

"An act to authorize and empower the assistant judges of the county court of the county of Windham to purchase, for the use and benefit of said county, a certain tract of land."

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned."

"An act relating to notes and contracts."

The Senate adjourned.

AFTERNOON.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act for the relief of William Bushee," reported the bill without amendment, and it was read the third time and passed.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act assessing a tax for the support of government," reported the bill without amendment.

Mr. Howe moved to erase, before the word cents, the word *three* and insert in lieu thereof the word *two*, thereby proposing to assess a tax of two cents on the dollar, and the question being taken thereon, was decided in the negative.

The said bill was then read the third time and passed.

Mr. Hammond, from the same committee, to whom was referred a bill entitled "an act authorizing the treasurer to borrow the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes," reported the same with an amendment, which was concurred in, and the bill was read the third time and passed.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Henry H. Robinson the sum therein mentioned," reported the bill without amendment, and it was read the third time and passed.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act for the relief of Charles Plastridge," reported the bill without amendment, and it was read the third time and passed.

Mr. Steele, from the same committee, to whom was referred a bill entitled "an act for the relief of Joseph Beeman," reported the bill without amendment.

Mr. Ranney moved that said bill be postponed indefinitely, and the question being taken thereon, was decided in the negative.

On motion of Mr. Pierpoint,

Ordered, that the bill be amended by adding thereto the following:

"Provided, that the said Beeman receive the deed at his own risk and in full of any claim he pretends to have against the state."

On motion of Mr. Heywood, the bill was further amended by striking out the words "*deeds with usual covenants*" and inserting the words "quit claim deed."

The said bill was then read the third time and passed.

The engrossed bill entitled "an act concerning the revision of the statutes,"

Was read the third time and passed.

The engrossed bill entitled "an act concerning the asylum for the insane," was read the third time, and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Hammond, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Converse, Eaton, Heywood, Kinsman, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Swift, White, Young—19.

Those who voted in the negative are

Messrs. Cobb, Egerton, Hammond, Howe, Ingalls, Jenness, Smilie, Van Sicklen, Waterman—9.

So it was determined in the affirmative.

Mr. Hammond introduced the following resolutions:

1. *Resolved*, by the Senate and House of Representatives, that the governor be requested to procure the laws of other states of which the library is deficient.

2. *Resolved*, that the librarian be directed to purchase twenty-five copies of Walton's Vermont Register for the use of the general assembly.

Which was read and passed.

A bill from the House of Representatives entitled "an act making appropriations for the support of government," was referred to the committee on finance.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing a bill entitled "an act in relation to the poor;"

A resolution relative to the deaf and dumb, and

A resolution authorizing the treasurer to audit the account of David Pierce.

The bill entitled "an act to repeal an act relating to interest," being under consideration,

Mr. Briggs moved that said bill be postponed indefinitely, and on this question the yeas and nays having been demanded by Mr. Pierpoint, were taken, and were as follows:

Those who voted in the affirmative are

Messrs. Bell, Briggs, Burton, Eaton, Egerton, Hammond, Howe, Ingalls, Jenness, Lawrence, Miller, Palmer, Ranney, Smilie, Steele, Swift, Van Sicklen, Waterman, White, Young—20.

Those who voted in the negative are

Messrs. Allen, Cobb, Converse, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter—7.

So it was determined in the affirmative.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act making appropriations for the support of government," reported the bill with a proposal of amendment, being a third section, appropriating the sum of five thousand dollars, for the purpose

"An act directing the treasurer to pay Harvey Ainsworth the sum therein mentioned."

"An act relating to notes and contracts."

The Senate adjourned.

AFTERNOON.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act for the relief of William Bushee," reported the bill without amendment, and it was read the third time and passed.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act assessing a tax for the support of government," reported the bill without amendment.

Mr. Howe moved to erase, before the word cents, the word *three* and insert in lieu thereof the word *two*, thereby proposing to assess a tax of two cents on the dollar, and the question being taken thereon, was decided in the negative.

The said bill was then read the third time and passed.

Mr. Hammond, from the same committee, to whom was referred a bill entitled "an act authorizing the treasurer to borrow the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes," reported the same with an amendment, which was concurred in, and the bill was read the third time and passed.

Mr. Pierpoint, from the committee on claims, to whom was referred a bill entitled "an act directing the treasurer to pay Henry H. Robinson the sum therein mentioned," reported the bill without amendment, and it was read the third time and passed.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act for the relief of Charles Plastridge," reported the bill without amendment, and it was read the third time and passed.

Mr. Steele, from the same committee, to whom was referred a bill entitled "an act for the relief of Joseph Beeman," reported the bill without amendment.

Mr. Ranney moved that said bill be postponed indefinitely, and the question being taken thereon, was decided in the negative.

On motion of Mr. Pierpoint,

Ordered, that the bill be amended by adding thereto the following:

"Provided, that the said Beeman receive the deed at his own risk and in full of any claim he pretends to have against the state."

On motion of Mr. Heywood, the bill was further amended by striking out the words "*deeds with usual covenants*" and inserting the words "quit claim deed."

The said bill was then read the third time and passed.

The engrossed bill entitled "an act concerning the revision of the statutes,"

Was read the third time and passed.

The engrossed bill entitled "an act concerning the asylum for the insane," was read the third time, and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Hammond, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Converse, Eaton, Heywood, Kinsman, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Swift, White, Young—19.

Those who voted in the negative are

Messrs. Cobb, Egerton, Hammond, Howe, Ingalls, Jenness, Smilie, Van Sicklen, Waterman—9.

So it was determined in the affirmative.

Mr. Hammond introduced the following resolutions:

1. *Resolved*, by the Senate and House of Representatives, that the governor be requested to procure the laws of other states of which the library is deficient.

2. *Resolved*, that the librarian be directed to purchase twenty-five copies of Walton's Vermont Register for the use of the general assembly.

Which was read and passed.

A bill from the House of Representatives entitled "an act making appropriations for the support of government," was referred to the committee on finance.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing a bill entitled "an act in relation to the poor;"

A resolution relative to the deaf and dumb, and

A resolution authorizing the treasurer to audit the account of David Pierce.

The bill entitled "an act to repeal an act relating to interest," being under consideration,

Mr. Briggs moved that said bill be postponed indefinitely, and on this question the yeas and nays having been demanded by Mr. Pierpoint, were taken, and were as follows:

Those who voted in the affirmative are

Messrs. Bell, Briggs, Burton, Eaton, Egerton, Hammond, Howe, Ingalls, Jenness, Lawrence, Miller, Palmer, Ranney, Smilie, Steele, Swift, Van Sicklen, Waterman, White, Young—20.

Those who voted in the negative are

Messrs. Allen, Cobb, Converse, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter—7.

So it was determined in the affirmative.

Mr. Steele, from the committee on finance, to whom was referred a bill entitled "an act making appropriations for the support of government," reported the bill with a proposal of amendment, being a third section, appropriating the sum of five thousand dollars, for the purpose

of completing the state house and improving the ground around the same, which amendment was concurred in and the bill passed.

The Senate, as in committee of the whole, resumed the consideration of a bill entitled "an act in relation to highways," and the bill was reported to the Senate.

Mr. Briggs moved that said bill be indefinitely postponed, and on this question, the yeas and nays having been required by Mr. Porter, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Briggs, Egerton, Ingalls, Pierpoint, Phelps of Windham, Phelps of Windsor, Ranney, Swift, White—9.

Those who voted in the negative are
Messrs. Allen, Cobb, Converse, Eaton, Hammond, Heywood, Howe, Jenness, Kinsman, Lawrence, Miller, Palmer, Porter, Smilie, Steele, Van Sicklen, Waterman, Young—18.

So it was determined in the negative.

The question was then stated, "shall the bill be engrossed and read the third time?" and on this question, the yeas and nays having been required by Mr. Egerton, were taken and were as follows:

Those who voted in the affirmative are
Messrs. Allen, Cobb, Converse, Eaton, Hammond, Heywood, Howe, Ingalls, Jenness, Lawrence, Miller, Palmer, Porter, Smilie, Steele, Van Sicklen, Waterman, Young—18.

Those who voted in the negative are
Messrs. Bell, Briggs, Burton, Egerton, Kinsman, Pierpoint, Phelps of Windham, Phelps of Windsor, Ranney, Swift, White—11.

So it was determined in the affirmative.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives have passed bills of the following titles, in which they ask the concurrence of the Senate:

"An act relating to the portrait of Washington."

"An act directing the treasurer to pay James Sheldon the sum therein mentioned."

"An act directing the treasurer to pay Abner Harris the sum therein mentioned."

"An act directing the treasurer to pay Augustine Clarke the sum therein mentioned."

"An act authorizing the proprietors of Ripton to divide their common and undivided lands."

On motion of Mr. Briggs,

Ordered, that when the Senate adjourn, it adjourn to meet at half past six o'clock this evening.

On motion of Mr. Bell, leave of absence was granted to him from and after to day, for the remainder of the session.

The Senate adjourned.

EVENING.

The Senate took up the bill entitled "an act for regulating the treatment of minors employed in manufacturing establishments." The amendment proposed by the House of Representatives being read,

Resolved, to concur therein.

A bill from the House of Representatives entitled "an act relative to a portrait of Washington," was read the first and second time, and on the question, "shall the bill be read the third time?" the yeas and nays, having been demanded by Mr. Egerton, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Briggs, Converse, Eaton, Heywood, Kinsman, Lawrence, Miller, Pierpoint, Phelps of Windsor, Porter, Steele, White, Young—14.

Those who voted in the negative are

Messrs. Bell, Burton, Cobb, Egerton, Hammond, Howe, Ingalls, Jenness, Palmer, Phelps of Windham, Smilie, Swift, Van Sicklen, Waterman—14.

The Senate being equally divided, the secretary took the casting vote of the President.

The President voted in the affirmative, and the bill was read the third time.

On the question, "shall the bill pass?" the yeas and nays having been required by Mr. Jenness, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Briggs, Converse, Eaton, Heywood, Kinsman, Lawrence, Miller, Pierpoint, Phelps of Windsor, Porter, Ranney, Steele, White, Young—15.

Those who voted in the negative are

Messrs. Burton, Cobb, Egerton, Hammond, Howe, Ingalls, Jenness, Palmer, Phelps of Windham, Smilie, Swift, Van Sicklen, Waterman—18.

So it was determined in the affirmative.

A bill from the House of Representatives, entitled "an act directing the treasurer to pay Abner Harris the sum therein mentioned," was read the first and second time.

Ordered, that it be read the third time, at this time.

The bill was then read the third time and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Howe, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Bell, Eaton, Egerton, Heywood, Ingalls, Kinsman, Lawrence, Palmer, Phelps of Windsor, Porter, Ranney, Smilie, Van Sicklen, Waterman, White, Young—17.

Those who voted in the negative are

Messrs. Burton, Cobb, Converse, Hammond, Howe, Jenness, Miller, Pierpoint, Phelps of Windham, Steele, Swift—11.

So it was determined in the affirmative.

A bill from the House of Representatives entitled "an act directing the treasurer to pay James Sheldon the sum therein mentioned," was read the first and second time and referred to the committee on finance.

A bill from the House of Representatives, entitled "an act directing the treasurer to pay Augustine Clarke the sum therein mentioned," was read the first and second time.

Ordered, that it be read the third time, at this time.

The bill was then read the third time and passed.

A bill from the House of Representatives, entitled "an act authorizing the proprietors of Ripton to divide their common and undivided lands," was read the first and second time and referred to the committee on the judiciary.

A bill from the House of Representatives entitled "an act concerning the Vermont asylum for the insane," was read the first and second time.

On motion of Mr. Pierpoint,

Ordered, that the bill be amended as follows :

Add to the bill the following :

"Provided, in future admissions to the benefit of said asylum, a preference shall be given to resident citizens of this state."

The said bill was then read the third time, and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Cobb, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Burton, Converse, Eaton, Egerton, Heywood, Ingalls, Kinsman, Lawrence, Pierpoint, Phelps of Windham, Phelps of Windsor, Potter, Ranney, Steele, Swift, White, Young—20.

Those who voted in the negative are

Messrs. Cobb, Hammond, Howe, Jenness, Miller, Palmer, Smilie, Van Sicklen, Waterman—9.

So it was determined in the affirmative.

A bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," was ordered to be engrossed and read the third time.

The engrossed bill entitled "an act in relation to highways," was read the third time, and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Howe, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Cobb, Converse, Eaton, Hammond, Heywood, Howe, Ingalls, Jenness, Lawrence, Miller, Palmer, Porter, Smilie, Steele, Van Sicklen, Waterman, Young—18.

Those who voted in the negative are

Messrs. Burton, Egerton, Kinsman, Pierpoint, Phelps of Windham, Phelps of Windsor, White—7.

So it was determined in the affirmative.

A bill from the House of Representatives entitled "an act directing the treasurer to pay John Roberts the sum therein mentioned," was read the third time and passed.

Mr. Phelps of Windsor called up the resolution relative to the duty of bank commissioner and bank committee.

Mr. Howe withdrew his amendment proposed this forenoon to the amendment offered by Mr. Smilie.

The question recurred on the amendment proposed by Mr. Smilie, and on the question, "will the Senate concur in said amendment?" the yeas and nays having been required by Mr. Waterman, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Cobb, Egerton, Heywood, Ingalls, Jenness, Kinsman, Smilie, Waterman—8.

Those who voted in the negative are

Messrs. Allen, Burton, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Van Sicklen, White, Young—17.

So it was decided in the negative.

The question was then stated from the chair, "shall the resolution pass?" and on this question, the yeas and nays having been required by Mr. Waterman, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Burton, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Van Sicklen, White, Young—17.

Those who voted in the negative are

Messrs. Cobb, Egerton, Heywood, Ingalls, Jenness, Kinsman, Smilie, Waterman—8.

So it was decided in the affirmative, and the resolution was passed.

Mr. Eaton, from the committee on education, to whom was referred the communication of his excellency the governor, with accompanying documents, on the subject of a geological and topographical survey of the state, submitted a report, accompanied with the following resolution :

Resolved, That the secretary of the Senate be directed to order printed in the appendix to the journal of the Senate, the several communications made to his excellency the governor, relative to the subject of a topographical and geological survey of this state.

On motion of Mr. Converse,

Ordered, that the resolution be laid on the table.

The engrossed bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," was read the third time, and on the question, "shall the bill pass?" the yeas and nays having been required by Mr. Howe, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Converse, Egerton, Ingalls, Jenness, Miller, Palmer, Pierpoint, Phelps of Windham, Porter, Ranney, Smilie, Steele, Van Sicklen, Waterman, Young—15.

Those who voted in the negative are

Messrs. Burton, Cobb, Eaton, Howe—4.

So it was determined in the affirmative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

The House of Representatives have passed bills of the following titles in which they ask the concurrence of the Senate.

"An act relating to assignments."

"An act in addition to an act entitled an act reducing into one, the several acts for laying out, making, repairing and clearing highways."

"An act to repeal an act therein mentioned."

"An act in addition to the several acts providing for the appointment of notaries public."

The House of Representatives concur with the Senate in the first joint resolution, and do not concur in the second joint resolution respecting the library, passed this day by the Senate.

Bills from the House of Representatives of the following titles were read the first and second time, and referred to the committee on the judiciary, viz :

"An act relating to assignments," and

"An act in addition to the several acts providing for the appointment of notaries public."

A bill from the House of Representatives, entitled "an act to repeal part of an act therein mentioned," was read the first time, and the question, "shall the bill be read the second time?" being taken, was decided in the negative.

So the bill was rejected.

A bill from the House of Representatives, entitled "an act in addition to the several acts for laying out, making, repairing and clearing highways," was read the first and second time, and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

Mr. Hammond, from the committee on finance, to whom was referred a bill entitled "an act directing the treasurer to pay James Sheldon the sum therein mentioned," reported the bill without amendment, and it was read the third time and passed.

Mr. Phelps of Windham called up the resolutions reported this morning by Mr. Ranney, from the committee to whom was referred the memorial of Charles Phelps and others.

The first resolution was read and passed.

The second resolution was read, and on the question, "shall the resolution pass?" the yeas and nays having been required by Mr. Phelps of Windsor, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Briggs, Burton, Cobb, Converse, Eaton, Hammond, Heywood, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Smilie, Steele, Van Sicklen, White, Young—21.

Those who voted in the negative are

Messrs. Egerton, Waterman—2.

So it was decided in the affirmative.

On motion of Mr. Phelps of Windsor,

Ordered, that the remaining resolutions reported by said committee, be laid on the table.

A bill from the House of Representatives entitled "an act directing the treasurer to pay John T. Wiggin the sum therein mentioned," was read the third time and passed.

A bill from the House of Representatives, entitled "an act repealing an act therein mentioned," was taken up, and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

The Senate took up the bill entitled "an act laying a tax on the lands in Granby," and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

Mr. Bell, from the committee on bills, reported that the committee have this day delivered to the governor, for his approval and signature, bills of the following titles :

"An act for the relief of William Bushee."

"An act authorizing the treasurer to borrow the sum therein mentioned."

"An act for the relief of Charles Plastringe."

"An act directing the treasurer to pay Henry H. Robinson the sum therein mentioned."

"An act in relation to the poor."

"An act assessing a tax for the support of government."

Mr. Heywood, from the committee on bills, reported that the committee have this day delivered to the governor for his approval and signature, bills of the following titles :

"An act directing the treasurer to pay Augustine Clarke the sum therein mentioned."

"An act relative to the portrait of Washington."

"An act directing the treasurer to pay Abner Harris the sum therein mentioned."

"An act directing the treasurer to pay John Roberts the sum therein mentioned."

"An act for regulating the treatment of minors employed in manufacturing establishments."

"An act altering the terms of the court in the county of Grand Isle."

The Senate adjourned.

WEDNESDAY, NOV. 1, 1837.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have passed a bill entitled "an act to abolish imprisonment for debt," in which they ask the concurrence of the Senate.

Mr. Young, from the committee on roads and canals, to whom was referred a resolution relative to the expediency of repealing the fourteenth section of "an act relating to roads and bridges," reported that no legislation on the subject of said resolution is expedient.

Mr. Howe, from the committee to whom was referred a resolution in relation to the contingent expenses of the Senate, reported the following resolution :

Resolved, That the President of the Senate appoint some suitable person to digest and prepare a bill, to be reported to the next session of the general assembly, providing some systematic and economical mode of supplying the general assembly with stationary, fuel, lights, and other necessities.

Which was read and, on motion,

Ordered, that the resolution be laid on the table.

Mr. Phelps of Windsor, from the committee on military affairs, to whom was referred a bill from the House of Representatives, entitled "an act directing the treasurer to pay George H. Peck the sum therein mentioned," reported the same without amendment, and it was read the third time and passed.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives have passed a resolution, assigning a time for a joint assembly to elect a treasurer of this state,

Which resolution is as follows :

Resolved, the Senate concurring herein, that both Houses meet in joint assembly this afternoon at three o'clock, for the purpose of electing a treasurer of this state."

Mr. Briggs, from the committee on the judiciary, to whom was referred the bill entitled "an act relating to the trial by jury," reported the same without amendment, and it was read the third time and passed.

The resolution from the House of Representatives, assigning a time for the election of treasurer, was read, and on the question, "will the Senate concur in passing the resolution?" the yeas and nays having been required by Mr. Egerton, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Egerton, Heywood, Jenness, Kinsman, Smilie, Waterman—6.

Those who voted in the negative are

Messrs. Allen, Briggs, Burton, Cobb, Converse, Eaton, Hammond, Howe, Lawrence, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Ranney, Steele, Swift, Van Sicklen, White, Young—20.

So it was determined in the negative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives concur with the Senate in amendments proposed by the Senate to bills of the following titles :

"An act concerning the Vermont asylum for the insane."

"An act for the relief of Joseph Beeman."

"An act to amend and reduce into one act, several acts relating to the corporation of the city of Vergennes."

The House do not concur with the Senate in the amendment proposed to the bill entitled "an act making appropriations for the support of government."

Mr. Briggs, from the committee on the judiciary, to whom was referred a bill entitled "an act in relation to, and extending the liberties of jail yards within this state," reported the bill with amendments.

On motion of Mr. Briggs,

Ordered, that the bill be laid on the table.

Mr. Phelps of Windham, from the committee on the judiciary, to whom was referred a bill entitled "an act authorising the proprietors of Ripton to divide their common and undivided lands," reported the bill without amendment.

On motion of Mr. Briggs,

Ordered, That the bill be laid on the table.

Mr. Converse, from the same committee, to whom was referred a bill entitled "an act in addition to the several acts providing for the appointment of notaries public," reported the bill without amendment, and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

Mr. Converse, from the same committee, to whom was referred a bill entitled "an act relating to assignments," reported the bill without amendment, and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

The Senate resumed the consideration of the resolutions reported by Mr. Ranney, from the committee on the memorial of Charles Phelps and others.

The third resolution being read,

Mr. Porter moved that the resolution be laid on the table, and on this question, the yeas and nays having been required by Mr. Ranney, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Burton, Cobb, Egerton, Ingalls, Jenness, Pierpoint, Phelps of Windham, Porter, Smilie, Steele, Waterman, White—12.

Those who voted in the negative are

Messrs. Allen, Bell, Briggs, Converse, Hammond, Heywood, Howe, Kinsman, Lawrence, Miller, Phelps of Windsor, Ranney, Swift, Van Sicklen, Young—15.

So it was determined in the negative.

The question was then stated, "shall the resolution pass?" and on this question, the yeas and nays having been required by Mr. Egerton, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Briggs, Converse, Hammond, Heywood, Howe, Lawrence, Miller, Phelps of Windsor, Porter, Ranney, Smilie, Swift, Van Sicklen, Young—16.

Those who voted in the negative are

Messrs. Burton, Cobb, Egerton, Ingalls, Jenness, Pierpoint, Phelps of Windham, Steele, Waterman, White—10.

So it was determined in the affirmative.

The fourth of said resolutions being under consideration,

Mr. Phelps of Windham moved to strike out in said resolution the words "*slavery and*," in the second line of said resolution, and the question, being taken thereon, was decided in the negative.

The said resolution was then read and passed.

The fifth resolution being under consideration,

Mr. Phelps of Windsor moved that said resolution be laid on the table, and the question being taken thereon, was decided in the affirmative.

The sixth of said resolutions was read and passed.

The seventh of said resolutions being under consideration, Mr. Phelps of Windsor moved that said resolution be laid on the table, and on this question, the yeas and nays having been required by Mr. Waterman, were taken and were as follows:

Those who voted in the affirmative are

Messrs. Allen, Briggs, Burton, Eaton, Egerton, Ingalls, Jenness, Lawrence, Pierpoint, Phelps of Windham, Phelps of Windsor, Porter, Smilie, Steele, Waterman, White—16.

Those who voted in the negative are

Messrs. Bell, Cobb, Converse, Hammond, Heywood, Howe, Kinsman, Miller, Ranney, Swift, Van Sicklen, Young—12.

So it was determined in the affirmative.

The Senate adjourned.

AFTERNOON.

Mr. Bell, from the committee on bills, reported that the committee have this day delivered to the governor, for his approbation and signature, bills of the following titles:

"An act directing the treasurer to pay George H. Peck the sum therein mentioned."

"An act directing the treasurer to pay James Sheldon the sum therein mentioned."

"An act directing the treasurer to pay John T. Wiggin the sum therein mentioned."

The Senate took up the bill from the House of Representatives, entitled "an act making appropriations for the support of government," in a certain amendment to which, proposed by the Senate, the House of Representatives do not concur.

On motion of Mr. Pierpoint,

Ordered, that the Senate do insist on the amendments proposed by them to said bill.

The House of Representatives was informed thereof by message.

Mr. Eaton called up the resolution reported yesterday by the committee on education, relative to the printing of documents on the subject of a geological and topographical survey of the state, and it was read and passed.

Mr. Eaton introduced the following resolution:

Resolved, That the secretary of the Senate be directed to procure to be printed one thousand copies of so much of the appendix of the journal of the Senate of this session, as shall embrace the reports communicated to the Senate by his excellency the governor on the subject of a geological and topographical survey of the state.

On motion of Mr. Cobb,

The resolution was amended by adding thereto the following :

"And the report of the committee of education thereon."

The question was then stated "shall the resolution pass?" on which question, the nays and nays having been required by Mr. Howe, were taken and were as follows :

Those who voted in the affirmative are

Messrs. Allen, Bell, Cobb, Converse, Eaton, Egerton, Heywood, Ingalls, Jenness, Kinsman, Miller, Pierpoint, Phelps of Windham, Phelps of Windsor, Ranney, Smilie, Steele, Van Sicklen, Waterman, White, Young—21.

Negative—Mr. Howe—1.

So it was determined in the affirmative.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT: The House do not concur with the Senate in passing bills of the following titles viz:

"An act to incorporate the Springfield paper company."

"An act concerning the asylum for the insane."

The House concur with the Senate in passing bills of the following titles, viz :

"An act in relation to highways."

"An act assessing a tax on the county of Franklin."

"An act concerning the revision of the statutes."

The House also concur with the Senate in the amendment proposed by the Senate to the bill entitled "an act altering the name of Betsey M'ling."

The House concur with the Senate in passing a bill entitled "an act for regulating and governing the militia of this state."

Mr. Van Sicklen called up the bill entitled "an act directing the taxing of foreign bank stock, steam-boat stock and vessels."

The amendments proposed by the House of Representatives being read,

Resolved, not to concur therein.

The Senate took up the bill entitled "an act in relation to and extending the liberties of jail yards within this state." The amendments reported by the committee on the judiciary were rejected, and the question, "shall the bill be read the third time?" being taken, was decided in the negative.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT: The House of Representatives insist on their disagreement to the amendments proposed by the Senate to the bill entitled "an act making appropriations for the support of government," and request a conference on the subject of the disagreeing votes of the two houses, and for this purpose have appointed as a committee on their part, Messrs. Kittredge, Dillingham and Needham.

On motion of Mr. Pierpoint,

Ordered, That a committee be appointed by the President, on the part of the Senate, to meet the committee of the house in conference on the subject of the disagreement of the two houses, in reference to the

bill aforesaid, and thereupon the President appointed, as such committee; Mr. Pierpoint, Mr. Briggs and Mr. Converse.

The Senate took up the bill entitled "an act authorising the proprietors of Ripton to divide their common and undivided lands," and the question "shall the bill be read a third time?" being taken thereon, was decided in the negative.

His excellency the governor communicated to the Senate a copy of the report of the auditor in the treasury department.

Mr. Heywood, from the committee on bills, reported that the committee have this day presented to the Governor, for his approval and signature, bills of the following titles:

"An act for the relief of Joseph Breman."

"An act altering the names of certain persons."

"An act in relation to highways."

"An act concerning the revision of the statutes."

"An act to amend and reduce into one, several acts relating to the corporation of the city of Vergennes."

"An act assessing a tax on the county of Franklin."

"An act relating to the right of trial by jury."

"An act concerning the Vermont asylum for the insane."

On motion of Mr. Ranney,

Ordered, that when the Senate adjourn, it adjourn to meet at half past six o'clock this evening.

A message from the House of Representatives, by Mr. Miner, their clerk:

MR. PRESIDENT: The House of Representatives concur in passing a bill entitled "an act to provide for reporting the decisions of the supreme court," with proposals of amendment, in which they ask the concurrence of the Senate:

The said amendment being read, on motion of Mr. Cobb,

Resolved, to concur therein.

Mr. Hammond introduced the following resolution:

Resolved, by the Senate and House of Representatives, that the two Houses meet in joint assembly in the representatives' room at seven o'clock this evening, for the purpose of electing a reporter of the decisions of the supreme court.

Which was read and passed.

A message from the House of Representatives, by Mr. Buck, their assistant clerk:

MR. PRESIDENT: The House of Representatives concur with the Senate in passing a bill entitled "an act directing the treasurer to pay the town of Sutton the sum therein mentioned," with a proposal of amendment, in which they ask the concurrence of the Senate:

The said proposed amendment being read,

Resolved, to concur therein.

Mr. Pierpoint, from the committee of conference, on the disagreement of the two houses in relation to the bill entitled "an act making appropriations for the support of government," reported that the committee recommend to the Senate to insist on the amendment proposed by the Senate to said bill.

Which report was concurred in by the Senate, and the said bill was returned to the House of Representatives.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives insist on their amendment to the bill entitled "an act, taxing foreign bank stock, steam boat stock and vessels."

On motion of Mr. Pierpoint,

Resolved, that the Senate adhere to their disagreement to the amendments proposed by the House of Representatives to said bill.

Mr. Waterman moved that a committee of conference be appointed, to meet such committee as may be appointed by the House of Representatives, to confer on the subject of disagreement of the two houses in relation to said bill, and the question being taken thereon, was decided in the negative.

Mr. Heywood, from the committee on bills, reported that the committee have this day delivered to the governor, for his approval and signature, a bill entitled "an act to provide for reporting the decisions of the supreme court."

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have resolved to recede from the amendment proposed by them to the bill entitled "an act making appropriations for the support of government," and have proposed to amend the amendment proposed by the Senate to said bill.

On motion of Mr. Pierpoint,

Resolved, to concur in the amendment proposed by the House of Representatives to the amendment proposed to said bill by the Senate, which is, to strike out in the third section of said bill the words *five thousand*, and insert in lieu thereof the words *three thousand five-hundred*.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives, insist on the amendments proposed by them to the bill entitled "an act taxing foreign bank stock, steam boat stock and vessels."

Mr. Heywood, from the committee on bills, reported that the committee have this day delivered to the governor, for his approval and signature, bill's of the following titles :

"An act for regulating and governing the militia of this state,"

"An act directing the treasurer to pay the town of Sutton the sum therein mentioned."

The Senate adjourned.

EVENING.

Mr. Pierpoint introduced the following resolution :

Resolved, by the Senate and House of Representatives, that the librarian be directed to loan to the committee appointed to revise the statutes

any books in the state library, to be returned at the next session of the general assembly.

Which was read and passed.

Mr. Ranney called up the seventh resolution, reported by the committee on the memorial of Charles Phelps and others, which was ordered to be laid on the table, this forenoon.

Mr. Pierpoint moved that said resolution be amended by striking out in said resolution the words "to the executives of the several states." And the question, being taken thereon, was decided in the affirmative. The said resolution, as amended, was then read and passed.

Mr. Heywood introduced the following resolution :

Resolved, by the Senate, that a message be sent to the House of Representatives, requesting the House to return to the Senate the bill entitled "an act laying a tax on Granby,"

Which was read and passed.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives concur with the Senate in passing the first, second, third, fourth and sixth resolutions on the subject of slavery and the admission of Texas into the union.

Also, in the resolution assigning a time for a joint assembly for the election of a reporter of decisions of the supreme court.

Mr. Heywood called up the resolutions introduced by him on the 16th inst. relative to Dartmouth college and Moore's charity school.

Mr. Heywood moved that the resolutions be laid on the table, and the question being taken thereon, was decided in the negative.

On motion of Mr. Briggs,

Ordered, that the resolutions be postponed to the first day of January next.

The bill from the House of Representatives entitled "an act laying a tax on the lands in Granby," having been returned from the House of Representatives,

On motion of Mr. Converse,

Ordered, that the vote taken yesterday, refusing the third reading to said bill, be reconsidered.

The question recurred "shall the bill be read the third time?" and being taken was decided in the affirmative.

On motion of Mr. Pierpoint,

Ordered, that a committee of two members of the Senate be appointed to wait on his excellency the governor and inform him that the Senate have completed the business before them.

Mr. Pierpoint and Mr. Briggs were appointed said committee.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives concur with the Senate in passing a bill entitled "an act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

Mr. Heywood, from the committee on bills, reported that the committee have this day presented to the governor, for his approval and signature, bills of the following titles :

"An act directing the treasurer to pay Rufus Campbell the sum therein mentioned."

"An act making appropriations for the support of government."

"An act laying a tax on the lands in Granby."

On motion of Mr. Pierpoint,

Ordered, that the House of Representatives be informed by message that the Senate have on their part completed the business of the session.

Mr. Pierpoint, from the committee appointed to wait on the governor, reported that the committee have performed the service assigned them, and that his excellency has no further communication to make to the Senate.

A message from the House of Representatives, by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives do not concur with the Senate in passing a bill entitled "an act declaring certain machinery to be fixtures."

The Senate adjourned.

THURSDAY, NOVEMBER 2, 1837.

A message from the House of Representatives by Mr. Buck, their assistant clerk :

MR. PRESIDENT : The House of Representatives have concurred in passing a bill entitled "an act relating to prisoners and jail yards," with a proposal of amendment, in which they ask the concurrence of the Senate.

The House of Representatives do not concur with the Senate in passing a bill entitled "an act relating to inn keepers and retailers."

A quorum of the Senate not being present,

Mr. Waterman moved that the sergeant at arms be despatched to call in the absent senators, and the question being taken thereon was decided in the negative.

Mr. Ranney moved that the bill entitled "an act relating to prisoners and jail yards" be laid on the table, and on this question, the yeas and nays having been required by Mr. Waterman, were taken, and were as follows :

Those who voted in the affirmative are

Messrs. Ranney, White—2.

Those who voted in the negative are

Messrs. Egerton, Heywood, Jenness, Phelps of Windsor, Van Sicklen, Waterman—6.

On motion of Mr. Waterman,

Ordered, that the said bill be postponed to the next session of the general assembly.

A message from the House of Representatives, by Mr. Miner, their clerk :

MR. PRESIDENT : The House of Representatives have on their part completed the business of the session.

Prayers having been offered by the Rev. Chaplain, the President of the Senate, pursuant to the joint resolution of both houses, adjourned the Senate without day.

NORMAN WILLIAMS,
Secretary of the Senate.

APPENDIX.

IN SENATE, OCT. 31, 1837.

MR. EATON, from the committee on education, to whom was referred the communication of his excellency the governor, with accompanying documents, on the subject of a geological and topographical survey of the state, submitted the following

REPORT:

The committee on education, to whom were referred sundry documents relative to the subject of a topographical and geological survey of this state, and the select committee of the House of Representatives, raised on a resolution relative to the same subject, beg leave to submit the following report.

The committee, in view of the importance of the subjects submitted to their consideration, and a consequent wish to make them perfectly intelligible to all who may feel an interest in them, deem it proper to preface their remarks by stating in a general manner, the object to be attained by topographical and geological surveys, and the general manner of conducting them. And they cannot perhaps elucidate these points more clearly than by presenting the remarks made by Prof. Benedict of the university of Vermont, in a communication from him to the governor in reply to certain questions proposed by his excellency, agreeably to a resolution passed at the last session of the legislature.

"In a topographical survey," he remarks, "the first thing to be done is the measurement of a straight line, some miles in length, in a suitable position, and the designation of its extremities so exactly that for ages to come they can be determined within a hair's breadth. The measurement of this line must be so precise, and its straitness so perfect, that, admitting it to be ten miles in length, the result should not vary two inches from the truth, so far as the most perfect instruments could show. The precise latitude and longitude of its extremities need also to be determined by all accurate available means. By observations, the distances from its extremities to points on the highest visible peaks of mountains--and the distances from these points to others on the tops of other mountains, must be then ascertained. When a series of lines, the longest that can be accurately established, has been in this manner extended over the state, the spaces between them must be subdivided by getting the distances between intermediate, lower and nearer points--and so on till the fixed known points are as near to each other as shall be thought necessary for all future purposes and surveys.

"In a geological survey, the various rock formations which support the soil must be ascertained, and these characters and their relations must

be compared with those of similar rocks in other parts of the world. The peculiarities of known mineral veins—the regions where valuable mineral treasures, such as metallic ores, coal beds, marl bottoms, useful substances for architectural and other purposes, may exist, and of course be wisely sought for, must be pointed out, and also the regions where, judging from the experience of the world, it will be in vain to look for them. The nature of the various coverings which overlie the solid foundations of the state must also be investigated, and their relations to the natural and artificial vegetation found on them. The connection of these facts, with such natural causes as are known to have operated in the world, or are now in action, needs also to be traced as far as practicable."

The importance, then, of these surveys would perhaps be sufficiently obvious to every intelligent mind. The legislatures of some of the neighboring states have so far appreciated their value and importance as to order them—more especially *geological* surveys—made at the public expense; and in other instances, individuals, prompted by the love of science, and a desire to extend the blessings it confers upon mankind, have pursued their labors and enquiries to a very considerable extent. And wherever these surveys have been made, they have been attended with useful results to the various branches of industry and enterprise.

But although the committee have thus classed these surveys together, and acknowledged the importance of both; still their execution is not necessarily connected, and there is, in the estimation of your committee, a considerable difference between them in point of immediate practical utility. It is true a topographical survey, by fixing certain station points in various parts of the state and determining their relative height, with their distances and direction from each other—and by ascertaining the drainage or fall of streams from their sources to their mouths, would form data for calculation relative to the construction of canals and rail roads. It would enable us, likewise, in any given place to determine the position or direction of the true meridian; to settle the boundaries of towns and counties with such unvarying precision as almost to supersede the necessity of the usual landmarks; to ascertain with unerring certainty from time to time the variations of the magnetic needle—without having recourse to the more tedious process of astronomical calculation, now so often necessary to determine these points. These, it must be admitted in general terms, are objects of high importance. But the data which would be indispensable in calculations, relative to the construction of canals and rail roads, would be of little practical use until business and wealth should indicate the necessity and furnish the means of putting these works in operation; and the other advantages which have been alluded to, can be dispensed with, although at the expense of some *inconvenience*, and perhaps at times *uncertainty*, in important calculations.

That some preliminary facts, relative to the topography of the state, would form a starting point for geological investigation, and in a considerable degree facilitate its progress, is readily admitted; and if it were a settled point that both surveys should be undertaken within a few years, unquestionably the topographical should take precedence in order of time. But as one is not essential to the accomplishment of the other, and as the expense of an accurate topographical survey, carried only to such an extent as would doubtless be deemed advisable, if it were undertaken at all, would be, according to the estimates before us, not less than 10

or 12 thousand dollars; the committee in view of the considerations already suggested, and others yet to be adverted to, are of the opinion that a geological survey should be *first* undertaken, leaving the other enterprise to some future period, when its execution should be more imperiously demanded by the wants, and more clearly justified by the wealth of the state. If this order of proceeding were adopted, the relative localities of various formations could not, it is true, be so precisely determined; but still the positive location of each could be marked by indicating its position relative to other fixed objects; and the names of towns would have to be substituted, in a description, for those of some more definite points, whose precise relations could be universally known.

It might be thought by some lovers of science, who look at the remote as well as at the immediate advantages which science always brings, that the committee have taken a narrow and limited view of the subject, and that they should have recommended the immediate execution of a topographical survey, in terms of the warmest commendation. But representatives, as they are, of a peculiarly practical and real-life people, they would not, whatever might be their own private opinions, feel justified in recommending to them any expensive enterprise from which they could not expect to derive some *direct*, as well as *definite* and *tangible* advantage.

But it does not require any broad and comprehensive view of the subject in order to discover the immediate and direct benefits to be derived from a geological survey of the state. These benefits are too clear and obvious not to be discernable at the most hasty glance. If they were limited to a development of our mineral products, in the shape of metallic ores, (as some might be disposed to limit them, if they had made no inquiry to ascertain the proper boundaries of geological research, and the appropriate objects which come within its scope,) even this would not be deemed a matter of small importance. Accident, without the aid of any thing like scientific and systematic investigation, has already brought to light many valuable treasures in the shape of iron, copperas, manganese, marble, &c. whose importance, as sources of wealth to our state, none can fail to appreciate. What other additional discoveries might be made by a thorough geological survey, its accomplishment alone could determine. Another obvious and palpable benefit to be derived from such a survey, would be the prevention of those fruitless searches so often engaged in at the expense of much time and labor, for discovering articles, which the science of geology might assure us are not to be found within our limits. We might, as one of these visionary schemes, name the project of boring for salt water, entered into a few years since in this state. Geology, on the authority of well known laws, would have informed us beforehand that the search would end in disappointment—that we might as well expect to find the white bear of the polar regions herding with the lion in an African desert, as to find salt springs in such a locality, or amidst such geological formations as this part of the country exhibits.

But when we enter further into the broad field of inquiry, which the science of geology legitimately opens before us, we find other ends to be accomplished and other advantages to be acquired, besides the mere discovery of what are usually termed mineral treasures. Among the most prominent and important of these advantages would be the development of facts having a direct bearing upon the advancement of agricultural science. The various kinds of soil which the surface of the

globe exhibits, consist of decomposed rocks, and are as easily reducible to a regular and exact classification as are any of the various mineral productions which lie scattered over the surface of the earth, or imbedded in its bosom. Geology gives, to each of these various kinds and varieties of soil, its specific name. Each of these varieties of soil, too, is more especially favorable to the growth of some certain vegetable products. There is scarcely a tree, a plant, or a flower, that does not manifest a fondness for some certain locality, and exhibit an attachment to some particular soil, as most congenial to its nature. And it comes within the legitimate province of geology to note these facts. There is then, most clearly, an intimate relationship between this science and that of agriculture, and in truth the former might be said to constitute the basis of the latter. And your committee believe that the proposed survey would give to the agricultural interest in this state a new impulse, and inspire it with new life; especially if those entrusted with the execution of the enterprise, were instructed to keep this object steadily in view. There are in almost every town in this state intelligent men, whose knowledge of these sciences and their relations is indeed limited, but who are capable of appreciating their importance, and would acquire, in the progress of the work contemplated, a vast amount of practical information, which would gradually be diffused through every town and neighborhood in the state. Among other beneficial results of this information, one would doubtless be the prevention of those errors so often practised, of committing plants to inappropriate and uncongenial soils—errors which are as certain to ensure a failure, as would be the planting of the hyacinth upon the brow of the volcano.

Admitting then, the *utility* of the measure proposed, the next question which would properly present itself for consideration would be, its *expense*. From the estimate made by Prof. Benedict, apparently with considerable care, it might safely be set down at not exceeding \$12,000, including the expense of publishing the necessary report. This would amount to less than 5 cents for each individual in the state, and the payment of this sum might, as suggested by Prof. Benedict, be extended into two, three, or more years, according as it should be deemed expedient to prosecute the work with greater or less rapidity. And in view of the immense benefit to be derived, your committee have no hesitancy in expressing the opinion that the work should be immediately undertaken.

But inasmuch as the subject has never been fully before the people of the state, and the measure proposed involves considerable expense, they forbear recommending any appropriation for this object the present session,—choosing to leave the decision of the question to the intelligence of the people—confident in the belief that they will appreciate the importance of the subject, and that the popular voice will demand the commencement of the enterprise another year.

And with the view of aiding inquiry, and affording, to all who may wish it, access to a mass of important facts connected with the subject, your committee think it desirable that the several communications referred to them should be published, and therefore recommend the adoption of the subjoined resolution.

All which is respectfully submitted, H. EATON, for committee.

Resolved, that the secretary of the Senate be directed to order printed in an appendix to the Journal of the Senate, the several communications made to his excellency the governor, relative to the subject of a topographical and geological survey of this state.

EXECUTIVE CHAMBER, }
Oct. 17, 1837. }

SIR: I have the honor to transmit, for the information of the general assembly, the accompanying communications on the subject of a geological and topographical survey of this state.

I am, sir, very respectfully,

Your ob't serv't.

S. H. JENISON,

Hon. D. M. CAMP, President of the Senate.

To his excellency, Silas H. Jenison, governor of the State of Vermont:

In answer to inquiries respecting the probable time, expense, &c. necessary to execute a geological and a topographical survey of the state, I beg leave to submit the following:

In answering the several points of inquiry which naturally arise respecting a geological and a topographical survey of the state of Vermont, it is necessary to state briefly what is to be done in both cases.

In a *geological* survey, the character of the various rock formations which support the soil must be ascertained, and these characters and their relations must be compared with those of similar rocks in other parts of the world. The peculiarities of known mineral veins—the regions where valuable mineral treasures such as metallic ores, coal beds, marl bottoms, useful substances for architectural and other purposes, may exist and of course, be wisely sought for, must be pointed out, and also the regions where, judging from the experience of the world, it will be in vain to look for them. The nature of the various coverings which overlie the solid foundations of the state must also be investigated and their relations to the natural and artificial vegetation found on them.

The connexion of these facts with such natural causes as are known to have operated in the world, or are now in action, needs also to be traced as far as practicable.

All this needs to be drawn out in the form of an elaborate report, accompanied with such maps, sketches and illustrations as may be needful to give a clear view of the subject to the reader. In addition to this, the report must be accompanied with *vouchers*, so to speak, for the truth of much that is stated in it, in the shape of well selected specimens of the various rocks, ores, important imbedded minerals, organic remains, &c. which shall have been found in the survey. One set of these specimens properly labelled and arranged should be placed in cases in the state house, or such other place as the legislature shall determine, and one other set equally complete, or as nearly so as the nature of the case will admit of, should be furnished to each of the colleges in the state, to be kept in each instance by itself, that it may be ever at hand for examination in regard to the facts and doctrines of the report.

In a *topographical* survey, the inquiry is not what is the nature of the rock or soil of a particular spot, or what it is good for, or how came it there, but simply *where* is the spot in reference to other remarkable ones in the world. The work to be done is *substantially* the following. Supposing all needful instruments to have been provided and properly tested, the first thing to be done is the measurement of a *straight* line some miles in length in a suitable position, and the designation of its extremities so exactly that for ages to come they can be determined at any time,

to within a *hair's breadth*. The measurement of this line must be so precise and its straightness so perfect, that admitting it to be 10 miles in length, the result should not vary two inches from the truth, so far as the most perfect instruments could show. The precise latitude or longitude of its extremities need also to be determined by all accurate available means. By observations the distances from its extremities to points on the highest visible peaks of mountains, and the distances from these points to others on the tops of other mountains, must then be ascertained. When a series of lines, the longest that can be accurately established, has been in this manner extended over the state, the spaces between them must be subdivided, by getting the distances between intermediate, lower and nearer points, and so on till the fixed known points are as near to each other as shall be thought necessary for all future purposes of surveys.

Every step of this process, as far as it may be carried, together with a multitude of collateral experiments & observations necessary to insure precision in the application of the instruments, must also be recorded in a report, so that every competent person can see how each result was obtained, and how far its accuracy can be relied on.

From a comparison of these two objects it will be seen that they differ in almost every point. The geological survey will demand incessant *activity* and *extensive travel*. The topographical survey will demand extreme caution and cannot proceed actively. In the former, as many points as possible must be visited, and the space between them must be scanned with an observant eye; while in passing from place to place, in most cases, the roughest and most unfrequented route must be taken, and the stay at each place be but short. In the latter, as few points as possible must be visited, in passing from one to the other, the smoothest route, be it ever so long, must be taken and the whole attention occupied in the careful transportation of instruments. Moreover the stay in each place must be of considerable duration. The sort of manual labor needful in the former will be mostly of a rough and violent character, but in the latter the most pains-taking delicacy must be as constantly practised.

Again, the geological survey must cover the *whole state*. Every town must be visited; a geological map of the whole state laid down, or the enterprise will be reckoned to have failed in an important degree. In a topographical survey, so far as it is done, if done as it should be, it will be done forever, and remain unalterable. It may go on to a greater or less extent, now or at any time, but if perfectly done so far as nominally done, failure cannot be asserted respecting it. Each step is perfect in itself, and available for future operations, let the work stop where it may. Were nothing done even but to establish the *bare line*, already alluded to, it would be important and creditable to the state.

It seems to be most evident that the two branches of labor are quite incompatible, and that to avoid annoying embarrassment and certain disappointment, they must be made to devolve upon different individuals.

Furthermore, to insure harmony, responsibility and efficiency, each survey must be placed in the charge of one individual, to whom all others employed in it must be subordinate, and all persons so employed must be selected, or fully approved by him.

In estimating the amount of force and time necessary to perform the geological survey, several distinct considerations must not be overlooked. 1st. If a comparison be made between this state and any other dis-

strict of equal size in the northern states, I believe that the event will show that the geological characteristics are more numerous and peculiar in this region than in any other selected as above proposed. 2. This region has been so little examined that it would call for more investigation to determine its geology than any other of equal size in N. England—even supposing it to be in no ways peculiar. Geologically speaking, it is almost a *new field*. Again, considering in the 3d place the usages and fiscal resources of the state, it is not to be supposed that as great an expenditure, even in comparison with its size, will be incurred in this enterprise by Vermont, as has been incurred by some of the states of the union; but at the same time the work must be carried to a certain degree of completeness, or the results will be so general and vague as to do but little in promoting the wealth or the credit of the state. 4. Whether the work had better be done as rapidly as practicable, or occupy a longer time, of course calling for a less annual expenditure, is also a consideration to be had in view; but that need not occupy any attention in this place. If that consideration be laid aside, I think the following mode of proceeding most desirable. A commission being given by proper authority to an individual to proceed with the survey, I would have him associate with himself another, deemed his equal in ability and fidelity, and who in case of the providential interruption of the labors of the principal, would be expected to succeed him in the charge. To these two let there be joined two competent assistants. They might be young men, so far acquainted with the subject that they could render direct aid in investigation, and whose opinions would be worthy of some attention in doubtful points, and who could be safely trusted to do some things, as selecting specimens, making occasional re-examinations, &c. To these must be added two able bodied, trusty and capable laborers, to assist in the packing and transportation of minerals, the conveying of the means of subsistence and the performance of other necessary offices. These six persons would be divided into two parties of three each. The survey would thus proceed in two separate districts, in conformity to a plan decided upon after due consultation. The principal and his associate would frequently interchange views and information as to the region each one would be specially charged with, and if need should arise, they would examine some portions together. After proper intervals, at the close of the season if not before, each would become, by means of a full personal communication of their observations, fully possessed of the views of the other and better prepared to proceed in the work afterwards. The labor of collecting proper specimens would be constantly going on, boxes of them being assembled at the most convenient points to be transported thence to a general place of deposit, after the labors of the field were over for each year. After weighing the subject in my mind as careful as I am able, I have come to the conclusion, and I am confirmed in my opinion by that of an experienced geologist now in a public employment of this kind, that with this force the survey can be completed in *two years*. What then ought to be the annual expenditure?

Taking into consideration the great responsibility and labor of the employment, and the unavoidable hardships to which the persons engaged in it must be subjected during nearly or quite six months of the year, while they must be no less closely occupied for the remaining part of it, in preparation of specimens for their final disposition and in elaborating their reports; considering moreover, that besides the great

expense inevitably attendant on so much travelling in the summer season, it can hardly fail to be the case that the principal and his associate must incur some extra expense for visiting, in the winter season, collections and persons out of the state, for the purpose of elucidating important and doubtful particulars, I think that the annual salary of the principal ought not to be less than fifteen hundred dollars, that of his associate fourteen hundred dollars, and that of the two associates, each eight hundred dollars. Besides these salaries there should be allowed to the principal and his associate, four hundred dollars each for the pay of the laborer and his support, for the transportation of specimens and other incidental expenses. The allowance of this sum for that purpose would be much preferable to having them keep an exact account of expenditures for such purposes; such account to be audited and paid afterwards. Such an account would unavoidably contain so many unusual, and not easily understood items, that its settlement would be likely to lead to unpleasant feelings in all concerned.

The estimated annual expenditure will therefore stand thus:

| | |
|---------------------------------------|---------|
| For salary of the principal geologist | \$1,500 |
| " " " the associate do. | 1,400 |
| " " " the two assistants | 1,600 |
| " sum allowed for charges | 800 |
| | <hr/> |
| | \$5,300 |

For the estimated *two years'* service in all \$10,600.

Should it be deemed advisable to distribute the labor and expense over four years, instead of two, I should estimate the annual expense as follows:

| | |
|---------------------------------------|---------|
| For salary of the principal geologist | \$1,500 |
| " " of his assistant " | 800 |
| " allowance for charges | 400 |
| | <hr/> |
| | \$2,700 |

For the estimated *four years*, the total would be \$10,800.

The difference of two hundred dollars in the total results is too small a part of the whole, to have it operate as a reason for proceeding in either method in preference to the other. A desire to have the work *speedily* accomplished, would cause a decision in favor of the former; a wish to make the annual expense less considerable, would be met by choosing the latter.

In proceeding to give some opinions respecting the time necessary to execute a topographical survey, and the expense of so doing, I must first remark that, from the nature of the business, more uncertainty must rest upon my opinions in this, than in the former case. I have bestowed much reflection and considerable research on the subject, and have not in every particular relied wholly on my own judgment; still it is impossible for me, (and I think it would be to any one,) to speak with full confidence on the subject in its whole extent. I will aim, however, so to limit my estimates of the extent of the work and the means for its accomplishment *up to those limits*, that no very serious difference shall be found between my results and those which the actual trial shall produce.

The first thing to be taken into the account, is the kind and cost of the instruments to be used. It is to be kept in view, that they must be, all of them, the *most perfect possible* of their kind.

The most costly instrument would be a *large Theodolite*. It must be made with express reference to the work in question, and must be competent to mark truly, differences in angles as small as *one second of a degree*. Considering its size and necessary peculiarities and perfection, I think it unwise to estimate its cost at less than one thousand dollars. Besides this, there will be needed a smaller instrument of the same name and use, marking as small differences as five or ten seconds of a degree, to serve for preliminary examinations, in order to determine where it will be best to lay triangles, place signals, &c. saving both time and expense, from its greater portableness, and risk of damage to the large instrument, an amount far exceeding the cost of the smaller. This would cost about three hundred and fifty dollars. A telescope level for running a base line—liass of verification, and some other purposes, at a cost (with its necessary appendages) of two hundred dollars. In order to establish the longitude of some one point with great precision, a transit instrument, furnished with a proper support, would be indispensable. This ought to be, at the least, *four or four and a half feet in length*; it would be better still if it were *six feet long*. The cost would be, I suppose, about six hundred dollars. The instrument would be needful also in determining the base line. As a necessary means for fixing one longitude as named above, there would be wanted an astronomical clock, costing three hundred and fifty or four hundred dollars. There ought to be procured also, to aid in transferring the longitude from one place to another, to time signals in certain cases, &c. at least three chronometers. The cost of the three would be, I suppose, seven hundred and fifty dollars. There must be procured a *standard scale*, most accurately compared with the most perfect standard in London or Paris, having official certificates of such comparison, with proper apparatus for transferring its graduation to other instruments. Indeed, to insure all confidence, it would be better to get one from Paris, and another from London, and have the two subjected to a rigid comparison by the individual charged with the survey. I can speak with less confidence of the cost of these instruments, than in most of the preceding cases. From the best means of information within my reach, I place the cost of standards at five hundred dollars. In addition to these, there would be needed instruments, for actual measurement of the base line, and sundry other small articles which cannot well be enumerated. All these, I think, would not cost more than twelve hundred and fifty dollars.

The estimate of instruments will therefore be as follows:

| | |
|---|---------------|
| 1 Large Theodolite | \$1,000 |
| 1 Smaller do. | 350 |
| 1 Telescope level, &c. | 200 |
| 1 Transit, four and a half feet in length, | 600 |
| 1 Astronomical clock | 350 |
| 3 Chronometers | 750 |
| 2 Standard scales with means for comparison | 500 |
| Measuring apparatus, and sundry small articles, say | 1,250 |
| | <hr/> \$5,000 |

At all events, I cannot believe this estimate to be amiss in any points, so as to affect materially the total expenditure.

In the selection of a suitable person to execute the survey, and the deciding what amount of pay he is to receive, I think no regard should be had to the remuneration often made to persons who are employed in

different parts of the union, in surveying lands, directing rail road and canal constructions, or in any of the labors which commonly are made to devolve on civil engineers. I must not be understood as undervaluing their attainments, which may be admitted to be fully adequate to their requisite duties; and as to the value of their services, they who employ them, must be considered as the proper judges. But I should fail in my duty in this place, if I did not express most emphatically my conviction, that as a class (I do not necessarily include in my remark every individual) they are altogether incompetent to *this undertaking*. It is a work of a far higher order than any which they have ever to do with. It demands a standard of accuracy, a knowledge of the difficulties in the way of attaining to the requisite precision, and of the means by which these may be most successfully overcome; and in fine, an acquaintance with the abstract sciences and their applications to the laws of physical nature, which are far above their reach. I would not have it supposed, however, that, inasmuch as civil engineers often receive from three thousand dollars to twice or thrice that sum, per annum, for their services, the persons who may be charged with this work, one of immeasurably greater responsibility than any of those under the charge of the former, are to receive a *greater sum* than they do. On the contrary, I should propose one much less. There is no occasion here to inquire into the fitness or unfitness of the fact, that those persons whose labors are expected to result in an immediate *pecuniary* benefit to a *few*, usually receive larger pay than they do, whose works, though a thousand fold more beneficial to the world, are less *obviously* productive of profit. It is sufficient for the present purpose that such is the case.

Whoever takes the proposed charge upon him must be influenced by other and higher motives than the pecuniary reward. His views of the importance of the work to the future benefit and honor of his country, and the gratification which he will receive in the execution of so great an undertaking, must be the chief reward of his toil and responsibility. His responsibility will be much greater than that of the geologist; but his fatigues and present expenses will be much less. Were it not necessary to consult the most rigid economy, I should place the salary of each of them higher than I do, and should also propose to have the individual charged with the topographical survey accompanied with an associate equally competent to the work as he himself might be. Not deeming that absolutely essential, I do not take it into the account. He must have, however, with him at all times a very competent assistant. I place the annual salary of the principal at fifteen hundred dollars, and that of his assistant, at nine hundred dollars.

The labor of subordinates can not well be placed on the same convenient footing as in the geological survey. During a large part of the time, even in the summer, I suppose none would be absolutely needed. At other times not only one person, but several persons would be wanted for short periods. In some cases mechanics' work of different kinds would be called for, and occasional charges for materials would arise. It cannot be estimated with much precision, therefore, what expense would come under this head. I think it would be necessary to leave such expenses to be paid for as they should occur, settling the account at appropriate times in the usual method. I see no grounds for estimating the average yearly charge (though it would be probably greater the first year and less in subsequent ones) at more than six hundred dollars. Unforeseen causes might increase the amount somewhat.

In estimating the *time* necessary for the work, I look no farther than the establishment of the *base line* and the *first set of points and lines*, extending from the north to the south part of the state. I make this limitation for *two* reasons. The *first* is, that when *this* has been done, the *great work may be said to have been accomplished* in a *good degree*, though it should *never* be taken up again; inasmuch as these points and lines, can be made use of by *ordinary means*, for settling boundaries of towns; the position of mountains, &c. with more than usual precision in any part, or in all parts of the state. In the *second* place, in the determination of these points and lines, it would be easy to ascertain, with little or no increase of expense, what points and lines should be taken next, if it was desired to carry the *exact* survey farther. When that had been ascertained, an estimate of time and money wanted for any future progress, could be made with all reasonable exactness; and till then, all estimates must be little more than bare conjecture, deserving of no confidence.

I estimate that *one year* would be occupied, by the individual charged with the work, in procuring the necessary instruments, (some of which could probably be made in this country, under his inspection, though the major part of them would of necessity be ordered from European artists of the highest reputation,) in making some examinations of the shape of the country in reference to the object in view, and instituting some needful experimental investigations.

He could be most profitably occupied in this way, nor would a year be less than sufficient to procure the instruments wanted. Probably the great Theodolite could not be obtained in so short a time. The *second year*, he and his assistant would probably be able to establish the base line, and to determine by trial with the small Theodolite, where the work should be laid; fix some permanent marks, and get things in readiness for the observations with the great Theodolite. I see no reason for doubting that the work could be completed the *third year*. So far as my knowledge of the state extends, I think the work could be carried forward, in all respects (unless with regard to the base line) with greater rapidity than in any other state in the union. The estimate of expense will then stand thus:

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|---|----------|
| Salary of the engineer for three years | \$4,500 |
| “ for assistant two years | 1,800 |
| Estimate for contingent expenses | 1,200 |
| Estimate for instruments | 5,000 |
| Total | \$12,500 |
| Add now to this, the estimate for geological survey | 10,800 |
| Estimate cost of executing both surveys | \$23,300 |
| Add for printing the two reports | 1,700 |
| | \$25,000 |

The foregoing estimate may seem to individuals, who have bestowed little thought on the subjects that are concerned in it, to amount to a very large sum. But to them who are qualified to form adequate opinions on the matter, and who have bestowed that attention to it which its importance demands, I am confident that it will appear a very moderate sum, compared with the magnitude of the work proposed, and their incalculable advantage to the state, if properly executed. It is not proper for me to occupy time in *enlarging* upon this topic, viz: the benefits

which will accrue to the citizens of Vermont from these surveys, yet I cannot let it pass without one or two brief remarks.

Many states of the union are turning their attention with earnestness to similar surveys, and some of them who have already incurred considerable expense in making and publishing geological examinations of their territory, have found such a manifest advantage from making their own citizens acquainted with the treasures beneath the surface of their soil, and from furnishing inducements for others to join in the participation of them, that they are incurring *additional charges* in making more critical explorations. Multitudes of our citizens are leaving, year after year, this state, to settle themselves in what they suppose to be more favored parts of the union. There can be no doubt in the mind of any competent judge, that a correct exhibition of the true state of the case will do much to dispel this delusion, and show our community that when they are led by one or two inducements standing in a strong and deceitful light, to forsake the green hills of their forefathers for the prairie soils of the west, they are leaving behind ten fold greater and more numerous advantages, calculated to make themselves and their posterity, prosperous, virtuous and happy.

If the benefits of an accurate *topographical* survey are not so obvious to the minds of all, they are none the less real. The importance of such a work in fixing everlasting points of reference, for all future divisions of the state into either great or large portions, and the consequent saving of contention about disputed boundaries, the precision which it will give, in fine, to every kind of geographical determination, cannot be too highly thought of. But this is far from being the only consideration which ought to have weight in the minds of them, who are to decide on the measure. The durable reputation of the state is too deeply concerned in it, to be overlooked in its consideration. In this aspect, it is not saying too much to assert, that no legislative act could be passed, which would be more deeply engraved in history, than the one which should lead to the execution of the work in question; for the moment it is completed, the state becomes one of the few great centres in the scientific world, and is connected with those in Europe and Asia, in a relation which can never be broken up, till the solid foundations of the earth change their places. It is not easy to believe that, if the people of this state are to be benefitted in so important degrees by the accomplishment of both these objects, they would willingly hesitate in the execution of them, when the entire expense, unless the preceding estimates are *greatly too low*, would not exceed an *average* of *TEN CENTS* for each *inhabitant* of it; the expense being, moreover, distributed over several years.

On the subject of the expense proposed, particularly for the geological survey, I wish to add a few words to what has already been said. I have not at hand any information as to the amount, both of time and money already expended in such a work by any other state, save in one case,—that of Massachusetts. In reference to that, I have only in view, information given in the report of Prof. E. Hitchcock, who was employed in making the geological survey of that state.

He occupied but a little more than *three years* in making the required examination, and his work exhibits an amount of valuable information, which is most creditable to his abilities and industry. But lest any one should infer that Vermont, being a smaller state than Massachusetts, ought to need a less time for its examination, instead of a greater, as I

have proposed, I think it proper to note one or two important differences in the two cases. There have been for many years a considerable number of scientific gentleman, residing in the state of Massachusetts, who have been making local examinations, and connecting their results, and these results have been still more enriched by the labors of many other persons in the adjacent states. All this body of information was directly available to that gentleman,—references to which appear in almost every part of his report, and in his *own* case he says; “had I not, previous to receiving my commission, travelled nearly as far, and obtained nearly as much information relative to the geology of the state, as since that period, my report could hardly have been tolerable, if it is so now. As it is, I can regard it only as the commencement of the work of exploring our rocks and minerals.” It should be noted that so important has his past labor been deemed, that he is now occupied under a *new commission* in carrying the investigation to a farther extent.

In the case of this state, there is an almost total want of those sources of information to which he had such ready access, and which saved him so large an amount of labor. So little has been done in this way in Vermont, that it is almost entirely a new field.

In regard to the expense of his work, up to the making of his report, and before its publication, he informs us, in his introduction, that the sum paid for making the survey, preparing specimens, &c. was only two thousand and thirty dollars. This may seem surprisingly small, compared with the time and labor that must have been expended, and no less so when compared with the sum named in the preceding estimate.

I was informed by a gentleman who was concerned in the measure, that the two thousand and thirty dollars, covered barely the *expense incurred*, independent of any remuneration whatever for the labors of Mr. H.; that, in fact, he did the work for nothing. This statement of the case will remove the surprise which any one may experience at first on hearing the small amount of expense paid out in that instance. I have not felt that I should be justified by that example in leaving out of my estimates a moderate compensation to whoever might be employed in making a geological survey of this state.

In regard to the best mode of proceeding, in case it should be decided to have either or both of the proposed surveys entered upon, I beg leave to make one or two suggestions. It does not appear to me possible, considering the short time that the legislature of this state is customarily in session, that any law authorizing the works, could contain the names of the individuals who are to be employed in their execution. Were that to be the case, if proper selections should be made, it must be considered the result of *chance*, rather than of that *impartial and discreet inquiry and careful deliberation*, which so important a matter demands. The most that could be prudently done, would be to pass a law authorizing the works, and designating an individual or individuals, by whom commissions are to be issued to suitable persons of their selection, such limitations as to expenditure being made as the legislature should judge proper. Should the legislature determine to make the geological survey and omit entering upon the topographical survey, there could no very serious question arise as to the annual appropriation needed. That would be easily determined upon by a regard to the probable total amount of the cost, and whether that had better be distributed about equally on *two or four* years, as already mentioned. Should they decide to proceed with the topographical, and neglect the geo-

graphical survey, the most *convenient* distribution would be probably in this wise: five thousand dollars for the first year, four thousand five hundred for the second, and three thousand for the third year. Should it be determined to proceed with them both at once, it would doubtless be thought best to carry the geological survey through four years instead of two only. In that case, a convenient distribution of the funds would be, eight thousand dollars for the first year, seven thousand for the second, six thousand for the third, and from three to four thousand in the fourth year. In any way of arranging the business, annual statements should be made by those employed, of the progress made in their respective duties, though a complete report could not be expected, in either case, till the work should be finished.

All which is respectfully submitted.

GEORGE W. BENEDICT.

Burlington, Sept. 30, 1837.

BURLINGTON, SEPT. 12, 1837.

DEAR SIR: Your favor of the 30th ult. was duly received, and had it not been for the interference of indispensable duties, would have been sooner answered. To your enquiries, respecting the expense of topographical and geological surveys in the state of Vermont, it will be impossible to give a definite answer, because those surveys may be made very general, or may be carried to great minuteness. I can, therefore, only give an opinion that they may be carried to a reasonable degree of minuteness, for from 15 000 to 20,000 dollars, and that about two thirds of this sum will be required for the topographical survey, leaving about one third for the other.

The extent to which these surveys may be prosecuted, in carrying out the details, and the facilities possessed by those who superintend them, of obtaining information, whether derived from documents in their own possession, and facts previously acquired, or from other sources with which they may be acquainted, and the extent to which the examination shall be made, will in the end govern the expense. The information obtained from facts already known, may be arranged, condensed and incorporated with such other facts as may be obtained by actual observation and measurement. The geological department, particularly, will be much benefitted by information which will be derived as above stated, and the balance will be obtained by such personal inspection and examination as the principal geologist and his assistants are enabled to make within the time allotted for their duties. The aid required in this department may therefore be limited to one or two assistants. The topographical department will require but a small force to begin with, until there is a general reconnoissance, and some principal base lines are fixed on and measured, after which it may be increased as the service may require; probably to begin with one or two assistants, and increase to 10 or 12, including laborers.

After the base lines are prepared, the next object to be attained, is that of determining, by a series of trigonometrical measurements, the correct relative positions of prominent points or stations within the limits of the state. These, when correctly established in sufficient number, will serve as standards for reference in the subordinate surveys.

I have been informed, that while the French were in possession of the Canadas, they extended a trigonometrical survey over a portion of the

state of Vermont; whether that survey is obtainable, and whether of use if obtained; I am not able to say. A series of measurements was also commenced in the years 1823, and 1824, of a portion of the state in the vicinity of Norwich, under the direction of my son, who was at that time a teacher in the institution of Capt. Partridge. This survey covers about 400 square miles, and was discontinued on the removal of that institution to Connecticut. This survey will, I presume, be found useful, and can be obtained. The state of Vermont does not in some respects present as many facilities for the cheap execution of a trigonometrical survey as some of the older states, for the reason that the face of the country is less improved, and the prominent parts are more difficult of access. Vermont, however, possesses facilities in another point of view, not surpassed by any other state in the union. Lake Champlain lying on her western border, and nearly north and south, parallel with the length of the state, presents an opportunity, by measurements made on its level surface, when frozen, of establishing a very accurate base line of any desirable length, at comparatively little expense. In the winter of 1834, in connection with professor F. Benedict, of the University of Vermont, I measured a base line on the lake, opposite this place, of about four miles; this was done with two deal rods of 100 feet each, and by repeating the operation, it proved quite as accurate as the best measures of base lines of which we have any account. This base, if extended, is very favorably situated for originating a system of triangles which shall embrace the whole state; and from its peculiar position, will answer the additional and important purpose of determining the length of an arc of the meridian, in a position nearly equi distant between the equator and pole. The elevation of the lake above tide water, as already ascertained by measurements, made preparatory to the construction of the Champlain canal, is more accurate than could be obtained by trigonometrical measurements, extending from the seaboard through the state of Massachusetts.

The stations embraced in the Massachusetts survey, near the Vermont line, will be of service in verifying the measurements in Vermont, and in prosecuting the survey, lines of verification, which are in fact base lines, must occasionally be measured to test the accuracy of the results, as obtained by calculation obtained from the instrumental measurement of the angles.

When the relative positions of the prominent points or features of the state are once ascertained, the exact position of town and county lines, and meridians for determining the variations of the magnetic needle, will readily be determined. The subordinate measurements should be continued far enough to ascertain the length, direction and elevation of the various ranges of hills or mountains, the length, inclination and amount of drainage of the rivers, and all other facts required to exhibit a complete view of the topography of the state. Wherever any of the lines of these surveys intersect the boundaries of any of the geological formations, the points should be accurately noted, and the locality of the different formations carefully delineated on the map. All remarkable changes in the soil, or in the character of the vegetation, should also be noted.

In similar surveys heretofore made, and those in progress in other parts of the country, there has usually been a separate organization of the topographical and geological departments. A great advantage would, however, result, if the departments could be united. When this

cannot be the case, they should at least co-operate as far as possible with each other, and they should cherish a mutual interest and confidence in each others duties. If the two branches are prosecuted separately, the topographic should take precedence in time, because the maps and measurements, when made, will be of great assistance to the geologist in enabling him to delineate the outlines of the different formations. It is all important, as I conceive, that the superintendent of the topographical survey, should be a good theoretical and practical engineer.

A leading, I may almost say, a paramount object of the survey, is to develop the physical features of the state, and show how far it is susceptible of improvement in the various means of inter-communication, which now are, or may be, in use for accommodating the travel and business of the country. None but a skilful and experienced engineer can properly appreciate all that would be required in this report. I make this remark from a conviction, that the importance of this qualification has not been sufficiently attended to in conducting operations of a similar nature in other states. Should the state of Vermont conclude to authorize the surveys to be made as contemplated, and should the selection of superintendents be a fortunate one, I anticipate much advantage to the state in the result.

In the foregoing sketch, which I have been obliged to make, in too much haste, I fear that I may have omitted some things which might have been expected, while in others, I might be thought unnecessarily prolix.

My only object is to lay before you my views of the subject, in a way the most beneficial for the state. I may be wrong in my views, or I may have omitted essential points, and if any thing further is in my power to elucidate the subject, I shall do so with much pleasure. Should you desire any further communication from me previous to the session of the legislature, please write, and you may rely on any service which is in my power.

I am, dear sir, very respectfully yours,
JOHN JOHNSON.

NEWPORT, R. I. 25th SEPT. 1837.

SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 30th ultimo, and in answer to the first query therein, as to "what time would be requisite to perform the services embodied in all the resolution of the Senate of Vermont, passed at its last session, for making a geological and topographical survey of the state," must reply, that by comparing the extent of the territory of Vermont, with that of Massachusetts and Rhode Island, and assuming the same quantity of force as was employed in making the surveys of those states, has induced me to presume, that the survey of the state of Vermont, could be performed in the course of two years; so far as making the collections, and arranging the specimens by the geologist, and performing the trigonometrical operations in the topographical department; but, with regard to the report of the geologist, should it not be more diffuse than that made on the geology of Massachusetts, by Prof. Hitchcock, of Amherst college, it is highly probable that another year would be required to complete that work; and, as relates to the time necessary to make the topographical survey, that would depend on the number and industry of the surveyors employed in the detail surveys.

As to the second query, "would it be desirable or expedient to employ more than one scientific person in the service?" I would state that more than twenty five years of constant practice and experience, has confirmed the opinion, that, one scientific person is sufficient, to conduct the operations in the topographical survey, and there are many good reasons to induce the belief that, one person, properly qualified, would be far better than a greater number, to perform the duties of the geological survey.

In regard to the third query, "in the topographical survey, what force would be necessary, and for what time?" it will be proper to premise, that the topographical survey, requires the performance of two distinct operations, the first of which is called a trigonometrical survey, which will require the service of the chief engineer, one register of observations, and one general assistant, with a carriage and two horses for about three years; the second operation consists in making the detail surveys of the topography; this will require the services of four surveyors for two years, and two assistants to each, for eight months in each year. And, as respects the fourth query, "what has been the expense incurred in making the surveys of Rhode Island and Massachusetts, which have been made under your superintendence?" I must reply, that the surveys of the state of Rhode Island having been made wholly by myself, personally, and at my own cost; a strict account of the time employed or the expense incurred has not been taken; an approximate estimate thereof can only be given, which may be assumed at the sum of five thousand dollars. As to the cost of the surveys made of Massachusetts, at the expense of that state, it is not in my power to furnish any information on that subject: but could a perfect knowledge of the expense of making the surveys of these states be obtained, it would not furnish sufficient data on which to found an estimate of the cost of surveying the state of Vermont, for in consequence of the inland position of Vermont, the great expense of *maritime surveys*, necessary in the surveys of the Atlantic states, will be wholly excluded from this estimate.

As your excellency has been pleased to state, that "any suggestions which I might deem proper to make, which would enable the legislature to act understandingly on the subject, will be gratefully received," I take the liberty to state, that should the legislature resolve to make a topographical survey of the territory of the state of Vermont, it will save much time and a heavy expense, if the trigonometrical operations be commenced prior to making any of the topographical surveys in detail, so that the signals used in the first operations, may serve as *points of constant reference* and verification, in performing the subordinate detail surveys; and in order to secure that perfect agreement, and uniformity of operation, throughout the work, so very important to its speedy, accurate and successful accomplishment, it is not only desirable, but absolutely necessary, that the chief engineer have a complete control of the work, and direction of the surveyors employed in the service, that he have power to examine the qualifications of all persons engaged in the survey, prior to entering on their several duties, and for this purpose, it is necessary that the chief engineer be, himself, not only scientific, but also, practical and experienced in this kind of survey; that the detail surveys be made with instruments not in any way affected by the compass, or subject to magnetic influence, and that intelligence and skill, industry, and economy, mark every step in the progress and performance of so important an enterprise.

In making the surveys of Vermont, the tedious operation and expensive apparatus in measuring a *base line*, will be unnecessary, in consequence of the establishment of such a line, by Massachusetts, in the trigonometrical survey of the state; this line will answer as the basis for making the surveys of any of the adjacent states, or, of any extent of country for several hundred miles in every direction from its locality; this line, was measured on the extensive plains on the west bank of Connecticut river, in the towns of Deerfield, Whately and Hatfield, and a connection of triangles has been formed from it, to the southern boundary of Vermont, where several station points have been permanently marked, the immediate use of which, will greatly facilitate and expedite the surveys of Vermont, so as to save at least three thousand dollars in expenditure, and more than a year's time in its accomplishment.

The prominent features of Vermont are very favorable in making the trigonometrical surveys, and will, therefore, require far less labor and expense in the triangulation of so great an extent of territory, than would be requisite in a country of less protruding features.

Of the utility of such a survey as is now contemplated, the legislature, which should wisely order it, would be fully aware, especially of its great aid in the diffusion of that geographical knowledge so highly important and beneficial to every citizen of the state, and to the country at large: there are many things connected with a survey of this kind, which will not readily occur to persons unacquainted with the nature of the work, and the process of performing it: the *station points*, (which will be permanently marked, in every direction, over the whole state,) furnish the best data from which to determine, with precision, the quantity of lockage in canals, the inclination of rail roads, and the relative height or depression of one place from another throughout the state; from this survey may always be adduced the position of the true meridian, and the variation of the compass from terrestrial objects alone, without recurrence to astronomical calculations; the position of state boundaries, and the boundaries of towns and counties, may at all times be defined with the greatest exactitude and in the least possible time: in a scientific point of view, it gives the length of an arc of the meridian, from which to determine the figure and magnitude of the earth.

The surveyors, in their reports to the chief engineer, will furnish maps of each town on a large scale; these may be engraved and printed full size, so as to form an atlas, which, if distributed to every public office, to public schools and to each town, will be a means of diffusing generally a perfect knowledge of the geography of the state: these maps may be so coloured as to show the geological character of each town, and the particular locality of every mineral in the state.

In every petition to the legislature for a charter of incorporation of any company for the construction of a turnpike, a canal, a rail road or any other internal improvement, the petition should be accompanied with a survey of the route intended, traced on the town maps, so as to furnish every citizen with a particular knowledge of its location, that he may judge of its advantages or disadvantages to his real estate; the route should also be definitely marked out on the map of the state, to show its general direction, to enable the legislature the better to judge of its public utility when acting on the subject.

I have the honor to be with the highest respect, &c.

Your obedient servant,

JAMES STEVENS.

To His Excellency, SILAS H. JENISON, Governor of the State Vermont.

IN SENATE, OCT. 25, 1837.

The commissioners of the University of Vermont made the following

REPORT :

To the Legislature of the State of Vermont :

The undersigned commissioners appointed, pursuant to law, to attend the annual examination of the University of Vermont, and inquire into the state of its funds and regulations, beg leave to submit the following report :

In executing the duty imposed upon us, it seemed important, in order that our inquiries and observations might be properly directed, to keep in view the great *ends* regarded in the establishment of this and similar institutions, and the *means* by which these ends ought to be attained. The history of our New England colleges shows us that they are intended to be places where, from generation to generation, our youth of all conditions, the rich and the poor alike, can assemble and enjoy, on terms of the most perfect equality, with each other, during an important period of their lives, the same advantages for obtaining that sound intellectual and moral culture which is usually called a liberal education.

The importance of this object, as affecting all the peculiar social and political institutions of our country, as essential for the preservation and nurture of our civil and religious liberties, is unquestioned and need not be enforced.

To accomplish this great end, there needs to be attached to each of our colleges a *sufficient number of competent and faithful instructors*. There must be, moreover, an accumulation of other means of acquiring knowledge. Their libraries should embrace as wide a range of information as possible on subjects, which any teacher or pupil, and in fact any person in the community, needs to investigate. There should be also such other apparatus as shall suffice to illustrate and determine the laws of the natural world and to shew how those laws can be rendered subservient to the benefit of mankind. Some of the points of inquiry, which would be suggested by the foregoing considerations, received particular attention by the commissioner of the last year, to whose report, published in the journal of the House of Representatives, we beg leave to refer, as exhibiting a view of the institution, worthy of special attention.

In regard to the *number* of professors employed, we found that there had been no change. We are well aware that some other colleges in our country employ no more teachers than have been employed, thus far in this institution ; but it is manifest that they are too few and that the duties imposed upon and executed by the faculty of the institution are too arduous, and nothing but a want of means to increase their number can justify the corporation in delaying to appoint additional professors.

Of the competency and faithfulness of those who have labored in it for years past and who are still employed in the various departments of instruction, saying nothing of what their general reputation may be for literary and scientific attainments, it may be for us to draw some conclusion from the exhibition of the students at the annual examination, which furnished the most interesting and satisfactory proof of the assiduity of the scholars and the fidelity and ability of the instructors.

That the faculty of this institution aim also, to inculcate on the minds of the young men under their charge such principles of patriotism and virtue as ought to fill the bosom of every American citizen, and as are most important to such as are destined to exert an influence in public life, is, we think, to be inferred from the literary productions of the graduating and junior classes at the last commencement occasion.

The report of last year contained a clear exhibition of the state of the institution in reference to its pecuniary resources. No change in its condition in this respect, worthy of notice, has taken place. That the strictest economy will not enable its annual expenses to be met from its annual income, is most evident, and it is equally so, that its expenditures ought to be increased in order to accomplish what is desirable for the good of the community. One thing is certain,—that the increase of its means ought not to be sought by increasing the amount to be paid by individual students for tuition. It is essential to an American college, that it be accessible on easy pecuniary terms, and whenever this state of things is altered, the very foundation of our freedom may be considered in danger.

We are well aware that repeated applications have been made to the Legislature of this state for aid to its public seminaries of learning, but we believe always without success. Saving the reservation, in the early history of the state of some wild lands, for such purposes (and considering their small value at that time, that must be reckoned of small amount,) this state has done little or nothing, for the founding and building up of its academies and colleges. In this respect, its legislation has been peculiar. Other states have done and are doing differently every year. We think it deserves a serious inquiry whether the policy hitherto pursued will not prove, in the end, if persevered in, detrimental to the best interests of its citizens.

On this point we beg leave to draw the special attention of the General Assembly, to one particular, in the financial concerns of the University. We find that some time since, it borrowed from the school fund of this state, to sustain itself in its necessities, two thousand dollars, on which it has been paying annual interest, for several years. Whatever ground there may have been in former years, for wishing to have the school fund increased, there certainly appears to be no good reason why, after the ample appropriation made, at the last session, for the support of our common schools, this small claim on the University should not be relinquished, and we beg leave to express our earnest hope that a bill for that purpose may be sustained and become a law at this session of the Legislature.

NORMAN WILLIAMS,
ANDREW TRACY.

October, 1837.

IN JOINT ASSEMBLY, Oct. 12, 1837.

The joint committee, appointed to sort and count the votes for Governor, Lieutenant Governor and Treasurer, made the following

R E P O R T :

To the Honorable General Assembly now in Session :

Your committee, appointed to receive, sort and count the votes for Governor, Lieut. Governor and Treasurer, having attended to the duties assigned them, respectfully report, that the whole number of votes given for Governor, was

| | |
|------------------------------|--------|
| Necessary for a choice | 39,998 |
| Of the above number of votes | 20,000 |

| | |
|----------------------------|--------|
| Silas H. Jennison received | 22,260 |
| William C. Bradley " | 17,730 |
| Scattering | 8 |

Your committee therefore report that the freemen have elected Silas H. Jenison, Governor, for the year ensuing.

Your committee further report that the whole number of votes given for Lieutenant Governor, was

| | |
|------------------------|--------|
| Necessary to a choice | 39,686 |
| Of the number of votes | 19,844 |

| | |
|------------------------|--------|
| David M. Camp received | 22,072 |
| John S. Pettibone " | 17,586 |
| Scattering | 28 |

Your committee therefore report that the freemen have elected David M. Camp, Lieutenant Governor, for the year ensuing.

Your committee further report, that the whole number of votes given for Treasurer, was

| | |
|--|--------|
| Necesserv to a choice | 39,000 |
| Of the whole votes given, Augustine Clark received | 19,501 |
| Charles R. Cleaves " | 18,453 |
| Norman Williams " | 17,476 |
| George T. Hodges, " | 1,336 |
| Luther Cross " | 686 |
| Henry F. Janes " | 369 |
| Scattering | 347 |
| | 334 |

Your committee therefore report, that the freemen have not elected any person, for Treasurer for the ensuing year.

All which is respectfully submitted,

P. WHITE, Chairman,
P. DILLINGHAM Jr, Clerk.

October 12, 1837.

REPORT

OF THE AUDITOR IN THE TREASURY DEPARTMENT:

To his Excellency, Silas H. Jenison, Governor :

SIR: The Auditor in the Treasury Department, appointed by your Excellency to examine and audit the accounts of the Treasurer for the year following the 30th of September, 1836, having attended to the duties of his appointment, Reports the following to be a correct statement of the fiscal operations of the Department for the past year, and its situation on the 30th day of September, 1837.

STATE OF VERMONT IN ACCOUNT WITH AUGUSTINE CLARKE, TREASURER, DR.

September, 30, 1837.

To cash paid Judges of the Sup. Court, towards their salaries,

| | | |
|---|-----------|----------|
| | \$6037,94 | |
| | 2317,05 | 3720,89 |
| Deduct fees in civil suits | | 2624,28 |
| cash paid to the several States Attornies, | | 17386,97 |
| cash paid Sup. and County Court orders, | | 140,00 |
| cash paid for Wolf certificates, | | 6434,66 |
| cash paid Auditor's orders, | | 446,00 |
| cash paid for Bear certificates, | | 385,90 |
| cash paid for Crow certificates, | | 1377,57 |
| cash paid Com. of Draf and Dumb, | | 2150,00 |
| cash paid Superintendent of State's Prison, | | 2900,39 |
| cash paid on several Acts of Legislature, | | 29334,21 |
| cash paid Supt. of State House, | | 1405,97 |
| cash paid Harvey Bell for Law Reports, | | 150,00 |
| cash paid Secretary of State half year's salary, | | 125,00 |
| cash paid Sec. of Gov. and Council half year's salary, | | 100,00 |
| cash paid Sec. of civil and military affairs, half year's do. | | 187,50 |
| cash paid O. H. Smith Clerk pro tem per act of Legis. | | 75,00 |
| cash paid Auditor of accounts his salary, | | 87,50 |
| cash paid Eng. Clerk his salary for half year, | | 500,00 |
| cash paid Treasurer and Com. School fund his salary, | | |

APPENDIX.

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| | |
|---|--------------|
| cash paid Gov. S. H. Jenison in part of his salary, | 600,00 |
| cash paid Secretary of the Senate half year's salary, | 127,50 |
| cash paid Assis. Sec. of do. half year's do. | 75,00 |
| cash paid Clerk of House of Rep. half year's salary, | 137,50 |
| cash paid Assistant Clerk, half year's do. | 75,00 |
| cash paid Librarian his salary, | 75,00 |
| cash paid D. Pierce, Auditor, for stationary and postage, | 5,03 |
| cash paid Electors of Pres. and Vice Pres. | 141,85 |
| cash paid A. Warner, Bank Commis. | 72,00 |
| cash paid H. Hale do. do. | 68,00 |
| cash paid Alex. S. Campbell do. do. | 92,00 |
| cash paid Insane Hospital | 4000,00 |
| cash paid for Rail Road Surveys, | 3000,00 |
| cash paid for cocoons, | 30,49 |
| cash paid Bank of Caledonia money borrowed, | 1600,00 |
| cash paid do. interest on do. | 10,83 |
| cash paid Bank of Burlington interest on Loan, | 300,00 |
| Error in credit of last year extra Div. of Bank of Vergennes, | 80,00 |
| Applied to School fund, being new notes, | 975,54 |
| Cash deliv. Trust. of several towns part Surp. Rev. | 636273,51 |
| Amount loaned to several towns, &c. | 19252,90 |
| Cash paid Debenture of Gen. Assembly, | 18392,03 |
| Cash paid for Fox certificates, | 1499,35 |
| To balance in the Treasury, | 5940,62 |
| | <hr/> |
| | \$ 761768,99 |

Cr.

| | |
|---|------------|
| By balance in the Treasury last year, | 5472,94 |
| cash received interest on arrearages of taxes, | 794,30 |
| cash received of the several State's Attornies, | 4297,50 |
| cash received for safety fund, | 3703,35 |
| cash received for Law Reports sold, | 48,15 |
| cash received of N. B. Haswell part Debenture returned, | 3,00 |
| cash received of Selectmen of several towns for show Licenses | 390,00 |
| cash borrowed of Bank of Caledonia, | 1000,00 |
| cash received for Taxes, | 58820,28 |
| cash received 3 Instalments U. S. Surplus Revenue, | 669086,79 |
| Cash received on dividends of | |
| Bank of Burlington, | \$ 1637,12 |
| Farmers and Mechanic's Bank | 840,00 |
| Farmers Bank, | 543,68 |
| Bank of Orleans, | 150,00 |
| Bank of Woodstock, | 400,00 |
| Bank of Manchester | 767,63 |
| Bank of Middlebury, | 240,00 |
| Bank of Montpelier, | 240,00 |
| Bank of Windsor, | 384,00 |
| Bank of Brattleboro' | 900,00 |

| | |
|---|--------------------|
| Bank of Bennington, | 636,36 |
| Bank of Rutland, | 480,00 |
| Bank of Vergennes, | 384,00 |
| Bank of Bellows Falls, | 400,00 |
| Bank of Caledonia | 222,00 |
| Bank of Orange County | 240,00 |
| Bank of Newbury, | 200,00 |
| Cash received towards principal of School Fund, | 4124,00 |
| Cash received Interest on do. do. | 2695,88 |
| Cash received for Pedlar's Licences, | 1788,03 |
| Cash received for old State Bank Debts | 880,00—18152,70 |
| | <u>\$761768,99</u> |

The Auditor further reports that the amount of Taxes in arrear including \$1016 of old arrearages, supposed to be for the most part unavailable, on the 30th day of September, 1837, is thirty-six thousand eight hundred and seventy two Dollars and forty nine Cents.

I am, sir, your most obedt. servant,
CHARLES DAVIS.

REPORT

OF THE AUDITOR IN THE TREASURY DEPARTMENT, ON THE SCHOOL FUND.

To his Excellency, Silas H. Jenison:

SIR. By an act, passed Nov. 17, 1825, for the benefit of common Schools, creating a School fund and making the Treasurer Commissioner thereof; the Auditor in the Treasury Department is directed to Audit the doings of the Treasurer in this behalf, and make annual Report of all matters appertaining thereto, and especially the amount, increase and securities of said School fund. In compliance with the provisions of said Act, the Auditor has examined the doings of the Treasurer, and reports the following to be a correct statement thereof, on the 30th day of September, 1837.

STATE OF VERMONT IN ACCOUNT WITH A. CLARKE, COMMISSIONER OF
SCHOOL FUND, DR.

September, 30, 1837.

| | |
|--|-------------------|
| To amount loaned by exchange of Notes, | \$975 54 |
| Error in credit of extra dividends of Bank of Vergennes, | |
| February, 1836, | 80 00 |
| Amount loaned this State the past year, | 17097 16 |
| | <u>\$18152 70</u> |

Cr.

By amount received by the Treasurer the past year, including the exchanges as above, as appears by the Report of the Auditor in the Treasury Department made this day, 18152 70

The amount reported on last year was 48509 72
Deduct amount on principal paid within the year, 4124 00

Add amount of exchange Notes, 44385 72
975 54

Amount loaned the State in 1834, 45361 26
Amount loaned the State in 1835, 9192 38
Amount loaned the State in 1836, 14025 78
Amount loaned the State in 1837, 14546 94
17097 16

Amount of School Fund, \$100223 52
exclusive of Interest owed by the State on the above loans.

The Auditor further reports that, so far as he is informed, or can judge, the sums on loan to individuals, are generally satisfactorily secured by mortgage or otherwise.

I am, Sir, your most obedt. Servant,
CHARLES DAVIS.

Safety Fund.

Operations, Amount and Increase of the Safety Fund, September 30th, 1837.

| | |
|--|--|
| Cash received of Bank of Middlebury | 1850 00 |
| of Woodstock, | 1861 48 |
| of Bellows Falls | 1669 43 |
| of Farmer's Bank. | 855 05 |
| of Orleans | 722 50 |
| of Newbury | 1273 96 |
| of Essex | 525 00 |
| of Manchester | 1415 21 |
| of Farmers and Mechanics | 631 25 |
| Interest received on Notes | 429 29 |
| Interest charged the State 30th September, 1837, on account of money loaned to the State | 525 76 |
| | <hr/> \$11545 90 |
| Deduct amount paid Commissioners | 872 00 |
| | <hr/> Amount of Safety Fund \$10673 90 |

September 30, 1833.

| | |
|---------------------------------------|------------------|
| Amount paid Mr. Coolidge, by Mr. Swan | 4 00 |
| paid Commissioners | 868 00 |
| on loan to individuals | 3754 84 |
| on loan to the State | 6919 06 |
| | <hr/> \$11545 90 |

AUGUSTINE CLARKE, Treasurer.

Montpeller, 30th Sept., 1837.

BANKS.

To His Excellency, the Governor:

The undersigned Bank Commissioners, of the State of Vermont, respectfully report, that they have inspected the Banks in this State, subject to the provisions of the act regulating the chartering of Banks, and find the condition of those Banks to be as follows:

| FARMER'S BANK. | | | |
|-----------------------|------------|----------------------------|------------|
| Capital Stock | 60,000 00 | Bills discounted | 83,656 79 |
| Bills in circulation | 55,926 00 | Deposited in Troy C'y Bk | 19,407 70 |
| Due Treasurer of Vt. | 407 71 | do in Market Bk Boston | 5,848 66 |
| Due Bank at Whitehall | 75 | do in Suffolk Bank | 3,000 |
| Due Depositors | 1,351 01 | Due from Bk of Vergennes | 130 28 |
| Dividends Due | 181 20 | Due from Bank of Troy | 1 50 |
| Safety Fund | 225 00 | Due from Bk of St Albans | 203 |
| Profit and Loss | 3,179 05 | Due from Farmers Bk Troy | 1 50 |
| | | Banking house and Lot | 2,354 28 |
| | | Bills of other Bks on hand | 3,527 |
| | | Specie | 3,140 02 |
| August 9, 1837. | 121,270 72 | | 121,270 72 |

| ORLEANS BANK. | | | |
|----------------------|---------|----------------------------|--------|
| Capital Stock | 30,000 | Bills Discounted | 53,913 |
| Bills in Circulation | 41,170 | Funds in Suffolk Bank | 3,000 |
| | | do in Market Bank | 8,857 |
| | | Bills of other Bks on hand | 5,905 |
| | | Specie | 895 |
| July 28, 1837, | 71, 170 | | 72,570 |

| BANK OF MIDDLEBURY. | | | |
|-----------------------------|------------|--------------------------------|------------|
| Capital Stock | 60,000 | Bills rec'ble or notes dis. | 97,337 05 |
| Circulation | 58,624 | Specie on hand and deposits in | |
| Due Depositors | 4,885 63 | Boston, Troy & F'n Bills | 32,311 45 |
| Unclaimed Dividends | 2,072 | Due from other Banks | 389 60 |
| Due other Banks | 730 01 | | |
| Disct ac't and expense ac't | 3,746 46 | | |
| August, 1st. 1837, | 130,038 10 | | 130,038 10 |

| FARMERS AND MECHANICS BANK. | | | |
|-----------------------------|------------|-----------------------------|------------|
| Capital Stock | 105,000 | Notes Discounted | 118,576 28 |
| Circulation | 67,955 | Domestic Bills and due from | |
| Due to Sundry Banks | 3,815 51 | other Banks | 62,143 80 |
| Dividends unpaid | 1,273 40 | Bills receivable | 1,626 |
| Profit and Loss &c. | 3,026 91 | Vermont Safety Fund | 631 25 |
| Due Depositors | 16,219 48 | Real Estate | 2,480 |
| | | Expense ac't. | 78 |
| | | Specie and Bills of other | |
| | | Banks | 11,754 90 |
| August 1, 1837, | 197,290 39 | | 197,290 30 |

| BANK OF MANCHESTER. | | | |
|-----------------------------|------------|-----------------------------|------------|
| Capital Stock | 70,000 | Notes Discounted | 156,086 97 |
| Circulation | 102,644 | Specie, Bills of other Bks. | |
| Dividends unpaid | 1,691 76 | Deposited in Boston, N. | |
| Discounts rec'd and Balance | | York and Troy | 16,146 74 |
| of Profit and Loss | 731 36 | Real Estate | 1,725 |
| | | Balance of Book | 1,108 41 |
| August 1, 1837, | 175,067 12 | | 175,067 12 |

| BANK OF NEWBURY. | | | |
|----------------------|------------|----------------------------|------------|
| Capital Stock | 50,000 | Notes Discounted | 71,108 82 |
| Bills in Circulation | 67,840 | Due on Book | 14,558 94 |
| Due Depositors | 11,347 32 | Funds in Boston | 36,093 67 |
| | | do in Suffolk Bank | 3,000 |
| | | Specie, Bills of other Bks | 3,483 82 |
| | | Safety Fund | 1,273 96 |
| | | Bank house | 1,927 94 |
| August 9, 1837, | 129,187 32 | | 131,747 15 |

| BANK OF WOODSTOCK. | | | |
|----------------------|------------|----------------------------|------------|
| Capital Stock | 50,000 | Notes Discounted | 170,747 58 |
| Bills in Circulation | 89,933 | Specie, Bills of other Bks | 5,487 |
| Due Depositors | 12,666 07 | Banking house | 3,000 |
| do Suffolk | 25,171 90 | | |
| Sept. 25, 1837, | 177,770 97 | | 179,234 58 |

| BANK OF BELLOWS FALLS. | | | |
|------------------------|------------|----------------------|------------|
| Capital Stock | 50,000 | Specie | 6,121 63 |
| Bills in Circulation | 93,392 | Bills of other Banks | 372 |
| Due Depositors | 18,752 40 | Deposit in Market Bk | 44,303 56 |
| Unpaid Dividends | 3,788 | do Suffolk | 3,000 |
| Due Safety Fund | 910 42 | do Farmers Bk Troy | 234 83 |
| | | Notes Discounted | 99,725 76 |
| | | Drafts do | 14,273 70 |
| | | Due on account | 5,875 66 |
| | | Real Estate | 1,700 |
| Oct. 2d, 1837, | 166,822 82 | | 175,607 14 |

| ESSEX BANK. | | | |
|----------------------|-----------|-------------------------------|-----------|
| Capital Stock | 20,000 | Notes dis. & due on book | 75,317 05 |
| Due Depositors | 22,848 43 | Deposits and due from oth- | |
| Bills in Circulation | 45,352 | er Banks | 11,268 41 |
| Profit and Loss | 2,001 86 | Foreign Bills and Specie | 1,083 33 |
| | | Uncurrent and counterfeit | |
| | | Bills | 65 50 |
| | | Safety Fund | 525 |
| | | Personal property and expense | |
| | | account | 1,943 |
| August 1st 1837, | 90,202 29 | | 90,202 29 |

The following table shows, in separate columns, the amount of bills in circulation of each Bank, specie, bills of other Banks and funds deposited and debts due the several Banks, in the years 1836 and 1837.

| <i>Name of Banks.</i> | <i>Bills in circulation.</i> | | <i>Specie, Bills of other Banks, &c. on hand.</i> | | <i>Debts due to the Banks.</i> | |
|-----------------------|------------------------------|-----------|---|--------------|--------------------------------|--------------|
| | 1836 | 1837 | 1836 | 1837 | 1836 | 1837 |
| Bellows Falls | 119,376 | 93,392 | 36,279 14 | 54,032 02 | 144,843 49 | 119,875 12 |
| Easex | 32,115 | 45,352 | 8,059 40 | 12,351 74 | 42,887 23 | 75,317 05 |
| Farmers' | 123,608 | 55,926 | 33,954 69 | 34,851 20 | 162,230 52 | 83,656 78 |
| Farmers & Mechanics' | 106,519 | 67,955 | 51,272 02 | 71,668 47 | 183,511 03 | 118,576 28 |
| Manchester | 106,729 | 102,644 | 52,099 74 | 16,146 74 | 140,259 77 | 156,086 97 |
| Middlebury | 111,667 | 58,624 | 58,208 58 | 31,991 04 | 125,065 61 | 47,337 05 |
| Newbury | 119,487 | 67,840 | 53,344 10 | 42,877 49 | 122,584 71 | 85,667 76 |
| Orleans | 48,281 | 41,170 | 21,556 00 | 18,657 00 | 57,438 39 | 53,913 00 |
| Woodstock | 130,613 | 59,933 | 42,010 02 | 5,487 00 | 185,891 07 | 170,767 58 |
| | \$898,395 | \$622,836 | \$356,783 69 | \$258,062 70 | 1,164,711 82 | \$961,177 59 |

From the foregoing statements it will be seen that the nine Banks which have been examined, have diminished their circulation since the examination of 1836, to the amount of \$275,489, and that their means for the redemption of their Bills, are likewise reduced; but not to the same amount; consequently, their liabilities are less in proportion to their ability to pay now, than at the time above mentioned.

It appears from enquiring of the officers of the banks, that they all, professedly suspended specie payments, on, or near the 15th day of May last; but at the same time it appears, that they have been in the habit of paying small sums, for the purpose of accommodation; and some banks have redeemed more bills since the suspension, than they had been requested to do, on an average, in any equal length of time previous.

The uniform reason given by officers of the banks, for suspending has been, that it was in consequence of the suspension of specie payments by the city banks. Most of the banks in Vermont, having large deposits in the cities, could not avail themselves of their funds there, to redeem their bills at home; but the bills of all those Vermont banks, having deposits in the Cities, are convertible, at any time, into the bills of the City banks, which keeps them at par, in the market.

The reason assigned for the suspension, appears to the commissioners to be well founded, as it could not be expected for a moment, that our small banks, averaging a capital of only \$100,000 each, could continue to redeem their bills with specie, while the city banks, with a capital of millions, refused to redeem theirs.

The Commissioners are satisfied from the manner in which the banks have been conducted by those having the management of them, that they intend, and eventually will, redeem all their bills in circulation. In most cases, it appears that the Directors have offered, and in many cases have given security for the payment of the liabilities of the banks, in their individual capacity; and have thereby assumed a responsibility which the law does not require.

The 18th Section of the act passed the 9th day of November, 1831, entitled "an act regulating the chartering of banks," makes it imperative on the bank Commissioners, upon certain contingencies therein named, to apply to a Chancellor, for an injunction; but by the 22d Section of the same act, it is left discretionary with them, in case of the suspension of specie payment for the space of sixty days to do it or not, as they may deem expedient. The Commissioners have not deemed it their duty, under existing circumstances, to make any application to a Chancellor,—although all the banks under their supervision, are liable to be proceeded against, for a violation of their charters, for refusing to redeem their bills in specie.

In coming to the above conclusion, the Commissioners have been influenced, not only by the honorable conduct of the officers of the banks; but they have also taken into consideration, the existing requirements of the laws; to wit, the security of the safety fund, and also the bonds required to be executed to the State Treasurer, by each director of the banks, in the sum of \$8,000, which last mentioned security amounts generally to the sum of \$56,000, and in no case to a less sum than \$40,000 to each bank; which, it will be perceived, is more than one half, and in some cases about equal to the whole sum, in which the banks are liable to the public. In addition to this, the public are secured by the capital stock paid in and debts due the Banks.

The Commissioners are not aware that any of the Banks inspected by them, have been guilty of any violation of their charters, in any other

respect, than that of suspending the redemption of their bills in specie; and from the examination very minutely entered into, they are satisfied of the ability of all the Banks, to meet all their liabilities, unless the most wealthy and business part of community should become involved in general bankruptcy and ruin.

It having been suggested to the Commissioners, that a great share of the loans made by the banks, had been made to the Directors—and in large sums, so that others, wishing for Bank accommodations, in small amounts, could not be accommodated; we have been induced to make a particular examination relative to these charges; and are prepared to bear testimony to the injustice of the allegations,—as at all the banks examined by us, except two, the proportion of debts due from the Directors, is extremely small;—and at the other two, perhaps the Directors have received no greater facilities, than might reasonably be expected, were they not members of the board; and a large proportion of notes due the banks, are given for sums varying from fifty to three hundred dollars each.

Another charge equally without foundation in truth, is that the payment of a large amount due the banks, is secured in no other manner than by a pledge of Bank Stock; whereas the facts are, that at five of the Banks embraced in this report, having due them more than \$500,000, we find only the sum of \$6,207,50 thus secured; and at the other Banks the enquiry was forgotten to be entered into.

The Commissioners are aware, that under the existing laws, the Banks cannot be proceeded against, in so full and ample a manner, by those holding their notes, as may be done by one individual against another; but whether any other, and additional security, ought to be provided by law, the Commissioners are not fully agreed; but submit that question to the wisdom of the Legislature.

The Bank of Brattleborough, which it was the duty of the Commissioners to inspect, is not included in this report. The Commissioner to whom this duty was assigned, the undersigned Commissioners have been very recently informed, was prevented from making the inspection in consequence of sickness. That Bank will be immediately inspected, and a report made of its condition.

All which is respectfully submitted.

HARRY HALE, } Bank
ALMON WARNER, } Commissioners.

Montpelier, October 12th, 1837.

To his Excellency, the Governor:

The following statement shows the condition of the Bank of Brattleboro' which was not included in our Report of the 12th inst. for the reasons therein stated.

| | | | |
|----------------------|------------|-----------------------|------------|
| Stock paid in | 75,000 | Notes Discounted | 130,236 98 |
| Deposits | 26,807 57 | Funds in Boston, Troy | |
| Profits and Loss | 3,765 37 | and other Cities | 52,540 26 |
| Bills in Circulation | 96,362 | Bills of other Banks | 2,930 |
| | | Specie | 13,808 21 |
| | | Banking house | 2,418 47 |
| Sept. 4, 1837. | 201,933 92 | | 201,933 92 |

HARRY HALE, } Bank Commis-
A. WARNER, } sioners.

Montpelier, October 14, 1837.

State Prison.

To his Excellency, Silas H. Jenison, Governor of the State of Vermont.

The Superintendent of the Vermont State prison respectfully submits to your Excellency the following statement of the transactions of the prison during the year ending September 30th, 1837.

The subscriber, during the winter last past, and until the 22d of March 1837, continued the same labors with the convicts under the contract as reported by the Superintendent to the General Assembly, at their session in October 1836, and the result of said labors will show, by the exhibit hereunto annexed, that it was sufficient to meet the ordinary expenses during that period; that is, from 1st October 1836, to March 22d, 1837.

In accordance with an act passed by the General Assembly at their last session, authorizing the Superintendent of the prison, connected with the Judges of Windsor County Court, to lease or let out the convicts' labour for a term of three years to any person or persons who would obligate themselves to defray all expenses necessary for the maintenance of said prison; the subscriber respectfully reports, that agreeably to said act, public notice, for sixty days, was given to receive proposals for said lease, and that on the 22d day of March last, a contract was completed, agreeably to the law passed for that purpose, with Mr. Isaac W. Hubbard of Windsor, and a copy of said contract is lodged in the State Treasurer's office. Since that time, industry on the part of the prisoners has been sustained, and good feeling and harmony manifested in every particular, between the officers of the prison and the contractor.

Previous to leasing out the prison, as well as since that time, the subscriber has endeavored as far as practicable to settle up the concerns of the prison, the outstanding claims in favor, as well as the amounts against the Institution; but the very great embarrassments which our State and country are experiencing in their business and monied concerns, has had such an influence on the mechanical operations of our State prison, as to have made it almost impossible to collect payment or make sales of property to realize cash from, without such sacrifices in prices as I believed it my duty not to make on State prison property.

Owing to Mr. I. W. Hubbard being an equal owner with the State in the engine shop, and which has formerly been conducted with him jointly, it was necessary for him, upon taking the lease of the whole concerns, to purchase that part of the property which belonged to the State, which was effected on appraisal of the property made and taken by Carlos Coolidge and Charles Dudley, Esqs. to the acceptance of both parties. There is yet on hand, stock and tools belonging to the Carriage Shop; but the times have been such, I have not felt warranted in forcing sales of the property, when it cannot be expected to raise one third of its value by so doing.

Not having had the satisfaction of meeting a committee to appraise and inventory the State Prison property, as has heretofore been usual, the subscriber would respectfully remark to your Excellency, that, as to the mere duty of appraisal and inventory of prison property very little is to be done under its present arrangements, owing to the circumstance that a large proportion of said property was disposed of to I. W. Hubbard, the present contractor, in March last. The residue now on hand, (a careful inventory of which has been made,) with the outstanding

debts of the Institution, for and against the prison, is ready for the examination of your Excellency agreeably to your direction.

Permit me to remark in closing this report, that there are ample means within the control of the Superintendent of the prison, belonging to State prison property, to meet and cancel all claims against the Institution; but it is necessary that time be had to accomplish it, and until a relief is experienced in the collecting of debts in money concerns, the advance for a final collection and full settlement of its concerns must be protracted.

Which is respectfully submitted by

JOHN H. COTTON, Supt. V. S. P.

Montpelier, Oct. 12, 1837.

Exhibit of expenses and amounts from labour received at Vermont State Prison, from 1st October, 1836, to March 22d, 1837.

PROVISION DEPARTMENT.

| | | |
|--|----------|------------|
| Amount of provisions on hand 1st Oct. 1836, | \$520 75 | |
| Purchased since | 3,429 84 | |
| | 3,950 59 | |
| Sold hides and other articles belonging to this department | 2,458 96 | |
| Leaving the expense for provision department | | \$1,491 63 |

HOSPITAL DEPARTMENT.

| | | |
|---|----------|----------|
| Medicines and stores on hand 1st Oct. 1836 | \$123 47 | |
| Purchases since, after deducting Dr. Phelps account | 77 35 | |
| | 200 82 | |
| Medicines appraised and sold I. W. Hubbard | 76 14 | |
| Expense of this department | | \$124 68 |

CLOTHING AND BEDDING.

| | | |
|--|----------|----------|
| Clothing and bedding on hand Oct. 1, 1836, | \$940 87 | |
| Purchased since | 252 75 | |
| | 1,193 62 | |
| Deduct for less appraisal on 22d March, 1837 | 448 11 | |
| Inventoried to I. W. Hubbard 22d March, | 495 00 | |
| | 943 11 | |
| Leaving expense of this department | | \$250 51 |

FUEL DEPARTMENT.

| | | |
|--------------------------------------|--------|--------|
| Wood and coal on hand, Oct. 1, 1836 | \$318 | |
| Purchased since | 413 52 | |
| | 731 52 | |
| Deduct for wood, sold I. W. Hubbard, | 369 37 | |
| Expended in this department, | | 352 15 |

PAY ACCOUNT.

| | | |
|--|------------|------------|
| Salaries of Superintendent, Chaplain, Shop Keepers and Guards, | \$1,333 00 | |
| Bill of Warden, repairs and contingent account | 310 51 | |
| | | \$3,861 38 |

Oct. 1, 1836, to 22d March 1837.

Receipts for labour of convicts--Contract account.

| | | |
|--|---|-------------------|
| For labour of prisoners as allowed on settlement | | |
| | with N. Kendall & Co. | \$1,105 62 |
| For | " " Engine Co. | 616 39 |
| For | " " Pliney Gay & Co. | 113 68 |
| For | " " I. Forbush & Co. | 1,714 42 |
| For | " done in Engine shop from Oct. 1, 1836 | |
| | to 22d March, including advanced pay | |
| | on convicts' work, &c. | \$684 32 |
| | one half State property | 342 16 |
| | | 342 16 |
| | | <u>\$3,892 57</u> |
| Errors excepted, | | |

JOHN H. COTTON, Supt. V. S. P.

GENERAL EXHIBIT.

Oct. 1, 1836.

| | | |
|--|--|--------------------|
| For property on hand excepting Book debts, and | | |
| notes, after deducting half amount of Engine | | |
| Co's. Stock and Tools, | | \$11,679 24 |
| Book debts, deducting suspended accounts, | | 13,495 82 |
| Notes | | 985 00 |
| | | <u>\$26,160 06</u> |

Oct. 1, 1837.

| | | |
|--|--|--------------------|
| By amount of property in State Prison excepting book | | |
| debts on 30th Sept. 1837, | | \$7171 50 |
| Book debts, in favor of State, | | 6865 68 |
| Notes do | | 1935 15 |
| " | debts less this year against State Prison than last | |
| | year, including payment made for officers for the | |
| | previous year, | 3,950 00 |
| " | appraisal less on property sold by Superintendent to | |
| | sundry persons, viz. Engine Co. property | 1,105 02 |
| | " Coopers Shop | 26 02 |
| | " Clothing and bedding | 548 11 |
| " | pay account of officers for 1837, from the | |
| | 1st Oct. 1836 to the 22d March 1837, | 1,333 00 |
| " | bill of expenses in Warden, contingent and | |
| | Store expenses, | 945 35 |
| " | amounts allowed against Prison on settlement, | |
| | previous to the last year's report, | 1,987 62 |
| | | <u>\$25,867 45</u> |

Errors excepted,

JOHN H. COTTON, Supt. V. S. P.

Montpelier, Oct. 12, 1837.

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